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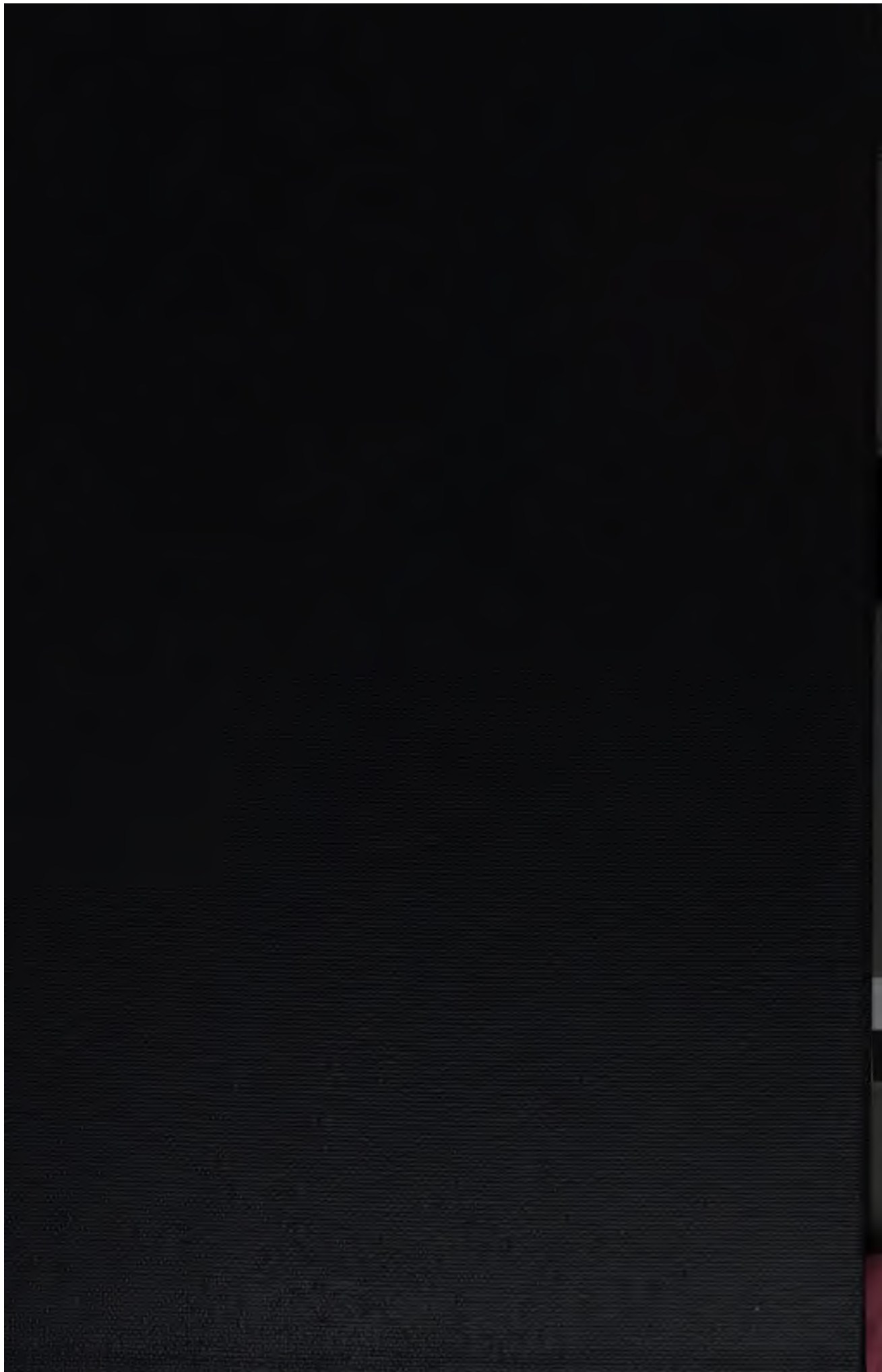
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XIV

VISITATION ARTICLES  
AND  
INJUNCTIONS  
OF THE PERIOD OF THE REFORMATION  
VOLUME I  
HISTORICAL INTRODUCTION AND INDEX

EDITED BY  
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## Preface

THERE is no set of documents that gives such a vivid picture of the religious changes of the sixteenth century in England as these that belong to ecclesiastical visitation. In them the alterations may be followed year by year or even at times month by month, with an amount of detail which is enough to be illuminating and not enough to be burdensome.

The value of such a series has already been amply recognized. Sparrow printed some of these documents in his celebrated *Collection* (1661), and thenceforward certain of them were well-known. Strype added more to the store in his volumes: Cardwell printed a fresh series in his very valuable *Documentary Annals* (1839), and later, in the days of the lawsuits about ceremonial, the evidence of Visitation documents was seen to be so valuable that a long series, ranging from 1560 to 1730, was printed in the Second Report of the Ritual Commission (1868). Further search in registries and elsewhere has revealed a number of fresh specimens of this class: a fair proportion of the documents of the earlier period and considerably more than half those of the later are now for the first time printed or reprinted. Consequently, the attempt is now made in these three volumes (i) to give a more complete series than has been hitherto accessible, (ii) by cross references, footnotes and an elaborate index to elucidate them in relation to one another and to current events, and (iii) to place the whole series in its setting by an introduction tracing the origin and development of the practice of visitation and its special relation to the Reformation changes. The second volume ranges from the Royal Visitation of 1536 to the close of Mary's reign: the third is concerned with the primacy of Parker, 1559-1575; while the first contains the Introduction and the Index to the two volumes of documents. It is hoped that future volumes will carry on the series to later times, and contain supplemental documents which will probably emerge

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as soon as these volumes are at last set forth in print. For though much search has been made in episcopal registries and other likely archives, the inquiry cannot be called exhaustive. All the English dioceses have been inquired into in more or less degree, but not the four Welsh dioceses, for these seem to have very few records of the period surviving. The archives of the Chapters and of the Archdeaconries have been less searched than the episcopal archives; and more may well be forthcoming from those and other musty cupboards, though inquiries as full as possible have been made before going to press.

It has been thought best to print the English documents in modern spelling and with no regard to the use of stops and capitals which prevails in the original. Where it seemed desirable, paragraphs have been numbered or renumbered, and the distribution and setting out of titles, headings, etc., has been changed. The object has been to produce an easily readable text, which would be valuable to the historical student, rather than one which has all the exact conformity to the original which might be demanded from other stand-points.

So much could not have been done without much help and co-operation generously given by others. Mr W. M. Kennedy worked at the whole in the earlier stages of preparation, and was responsible for seeing the greater part of the earlier set of documents through the press; but when that volume was printed off he was unable to give further help. Since then the progress made in the preparation of Vol. III has been all the slower, and delay has been caused by the necessity of re-editing, and printing afresh the later sheets of Vol. II. It is much to be regretted that many imperfections in the earlier sheets of that volume were not discovered until the eve of publication, when all possibility of treating them in the same way had passed by. The result is a very melancholy list of *errata*, which calls attention to such inaccuracies of text as were found to be in any degree important, on collating the bulk of the documents afresh. For much in the way of correction, and still more for the invaluable index a great debt of gratitude is due to my

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brother, Richard Rackham, who has both planned and executed it on a scale which makes it an illuminating object of study, even apart from the documents themselves.

A great accumulation of debt is also due to the official custodians of archives from which documents have been taken, and of others also which have been searched in vain. The Registrars have uniformly facilitated inquiry, accommodated the inquirer, and expended much courtesy and pains which he could in no way claim or expect, and for which he is all the more grateful. In some cases the Registrar has given expert help out of his own stores of knowledge, and special mention must be made, among those who have done so, of (the late) Dr Bensly at Norwich, and Mr Malden at Salisbury, who are well known as authorities.

In many dioceses there is also non-official but expert knowledge available; and this has been generously placed at the service of the inquirer by persons outside the Registries, but well-known to be leading authorities upon their contents. It is a pleasure to make out a long list of such names, recalling pleasant memories, and recording great obligations. To Canon Dalton are due all the Windsor documents, to Archdeacon Prescott those of Carlisle. Valuable information has come about Exeter from Canon Edmonds, about Wells from Canon Holmes, about Chester from Archdeacon Barber, about Hereford from Canon Capes, about Chichester from Prebendary Deedes, about Lincoln from the Rev. W. O. Massingberd, and about Peterborough from the Rev. E. A. Irons, all of whom have contributed generously of their expert knowledge of the diocesan records.

W. H. F.

*October, 1910.*





## Corrigenda

- Vol II, p. 2, l. 10, *for* viceregent *read* vicegerent; and so at p. 34, l. 19;  
     p. 39, last line but twelve; p. 43, l. 6.  
 p. 5, l. 2, *for* show *read* know.  
 p. 7, l. 4, *read* be the more.  
 p. 10, note 1, l. 2, *for* Saint-Germain *read* Saint-German.  
 p. 12, last l. but 4, *read* in my lawful and honest.  
     last l. *for* preserved *read* observed.  
 p. 17, note 1, l. 4, *for* v *read* vi.  
 p. 19, see vol. i, p. 126, note 2.  
 p. 23, No. 12, l. 2, *for* spiritual *read* essential.  
 p. 25, last l. but 2, *for* regimem *read* regimen.  
 p. 26, No. 3, l. 5 *for* thereof *read* hereof.  
 p. 34, Heading l. 7, *read* for the advancement of the true.  
 p. 38, l. 4, *for* sin *read* offence.  
 p. 41, No. 14, l. 3, *for* retain *read* detain.  
     No. 15, l. 1, *for* person *read* parson.  
 p. 44, No. 1, *read* You shall first diligently.  
 p. 54, No. 3, l. 6, *read* he shall make one.  
 p. 57, No. 15, l. 3, *read* go about in idle pilgrimage.  
 p. 58, No. 17, l. 7, *read* fornication, gluttony, drunken-  
     l. 9, *read* may be corrected.  
     note 2, l. 5, *for* Convent of Bruton *read* Convent of Burton,  
 p. 59, No. 20, l. 3, *read* is to obtain the true knowledge of God  
     which is  
 p. 66, l. 6, *for* their *read* your.  
 p. 68, l. 11, *read* firmiter injungendo.  
     l. 13, *read* Regis, Fidei Defensoris, Domini Hibernie, ac  
     in terris sub.  
     No. 1, l. 1, *for* Of *read* for.  
     last l. but 7, *read* Mandamus ut cum.  
     last l. but 2, *read* stitiosis.  
     last l. but 1, *for* nominum *read* omnium.  
 p. 71, l. 11, *for* firmita *read* firmiter.  
 p. 72, last l. but four, *for* contumelis *read* contumeliis.  
 p. 74, No. 10, *for* baccalarius *read* baccalaureus.  
 p. 82, preface l. 2, *read* our said sovereign.  
 p. 85, No. 9, *for* When *read* Where.  
 p. 101, l. 10, *for* honesta *read* honesto.  
     l. 31, *read* eligi in Principalem.  
 p. 115, last l. but two, *for* or relics *read* to relics.

### *Corrigenda*

- p. 121, notes l. 2, *for arms read alms.*  
 p. 124, note 1, l. 2, *for varience read variance.*  
 p. 130, last l. but one, *for for read from.*  
 p. 135, Heading l. 2, *read Sixth, by the grace of God Kin*  
 p. 137, l. 2, *for the read be.*  
     No. 15, l. 3, *for over-rate read onerate.*  
 p. 147, l. 9, *refer to vol I not vol II*  
 p. 149, l. 12, *for quiet read quietness.*  
     l. 14, *for ordered read ordained.*  
     No. 7, l. 1, *read henceforth neither the Dean.*  
 p. 154, No. 5, l. 2, *read but those hereafter following.*  
 p. 155, No. 6, *for services read sermons.*  
 p. 156, last l. but 9, *for heretofore read thereunto.*  
 p. 158, last l. but three, *for 1442 read 1482.*  
 p. 167, No. 22, l. 6, *for lads read clerks.*  
 p. 168, No. 26, l. 5, *read so done in order as it is.*  
     l. 10, *read to be read.*  
 p. 169, No. 29, l. 3, *read so that they be.*  
 p. 170, l. 5, *read church and for his affairs without.*  
     l. 7, *read the said space of thirty days.*  
     No. 31, l. 3, *for employ read appoint.*  
     last l. but 5, *for cause read excuse.*  
 p. 171, No. 3, l. 1, *for the read an.*  
 p. 172, l. 18, *read loudly to the people these.*  
 p. 173, l. 1, *for same read sum.*  
 p. 174, l. 3, *read repayment.*  
 p. 178, No. 10, last l. *for averring read wearing.*  
 p. 179, No. 18, l. 2, *for of read to.*  
     No. 22, l. 2, *read Majesty.*  
 p. 181, No. 40, l. 3, *for the read their.*  
 p. 188, No. 73, l. 1, *for they read any.*  
 p. 191, note 1, l. 2, *for Nos 21 read Nos 3, 21.*  
 p. 193, No. 4, l. 3, *delete forth.*  
 p. 195, l. 4, *read abases and superstitions.*  
     No. 11, l. 2, *read than those that.*  
     No. 12, l. 2. *read selling, gaming, or unfitting behaviour*  
     in.  
 p. 196, last l. but three, *for Winchesley's read Winchelsey's.*  
 p. 197, last l. but 4, *read idololatriae.*  
     last l. but 1, *for nobis read vobis.*  
 p. 198, l. 5, *read etiam hanc curam.*  
 p. 201, No. 30, l. 3, *for comparat read comparet.*  
 p. 202, No. 35, l. 2. *read pugnent cum.*

### *Corrigenda*

- p. 202, No. 38, l. 4, *for graviter read gnaviter.*  
 No. 40, l. 2, *for volumus read nolumus.*  
 l. 4, *for fecit read facit.*  
 No. 41, l. 3, *for nostratam read nostratem.*
- p. 203, No. 45, l. 3, *read repetitiones. Hanc audiat juvenus,*  
*ea pars quæ artibus sua studia destinavit: ab*
- p. 205, No. 2, l. 3, *read Magistrorum.*  
 No. 5, *for canistaria read lanistaria.*  
 No. 8, *for anni read annos.*  
*for theologiae tradunt read theologiae totos*  
*tradunt.*  
 No. 9, l. 1, *read percipit.*
- p. 207, No. 22, *for Margaritæ read Margaretæ.*
- p. 208, No. 40, l. 4, *read hebdomadatim.*
- p. 209, l. 1, *for est read et.*
- p. 210, l. 2, *read filii apti et.*  
 No. 56, l. 2, *read moderate.*  
 No. 58, l. 5, *for tironum read virorum.*  
 l. 8, *for insignia read ingentia.*
- p. 230, l. 13, *delete 1547.*
- p. 233, note 2. The last half of this note belongs to No. 15 above.
- p. 239, No. 57, l. 3, *for on read or; l. 4, for be read was.*
- p. 240, last l. but two, *for relics read rebels.*
- p. 243, last l. but four, *for assistantes read assistentes.*
- p. 248, No. 16, *for if there read if any.*
- p. 251, No. 1, *read keep all and singular the.*  
*for Metropolitan read Metropolitica.*
- p. 263, l. 6, *for tenenta read tenentur.*
- p. 267, last l. *for annote read annotate.*
- p. 268, No. 1, l. 6, *for superstitions read superstitious.*  
 No. 2, l. 3, *read is but one.*  
 No. 3, l. 5, *read and Athanasius.*
- p. 269, l. 2, *read lest that any.*  
 l. 6, *read of His Sacraments.*  
 No. 9, l. 5, *read and also.*
- p. 271, No. 16, l. 4, *for centuries read countries.*
- p. 272, No. 19, *read will or work . . . God do prevent.*  
 No. 20, l. 6, *for immolition read immolation.*
- p. 273, No. 25, l. 6, *for the read His.*
- p. 274, No. 27, l. 2, *read Blood of our Lord.*  
 l. 4, *read taken of one.*  
 No. 28, l. 3, *read retain in it certain.*  
 No. 29, l. 2, *for in read of.*

### *Corrigenda*

- p. 275, No. 34, l. 2, *read* only and supreme.  
 p. 276, l. 2, *for* commanded *read* commended.  
     No. 41, l. 2, *for* kissing *read* blessing.  
 p. 277, l. 7, *add* most.  
     l. 10, *for* we *read* ye.  
 p. 280, No. 5, l. 5, *read* of a Christian man as well how to be-  
     have himself towards God as towards man, and the same.  
 p. 282, l. 3, *for* God's word *read* the Word of God;  
     No. 8, l. 6, *read* learning but such as.  
     No. 9, l. 19, *for* fervour *read* favour.  
 p. 284, l. 3, *for* were *read* more.  
     No. 14, l. 3, *for* at *read* in.  
         l. 5, *read* conditions of the parson, vicar and  
         curate of the parish and of the manners and  
         conditions of the parishioners.  
     No. 15, l. 9, *for* and *read* any.  
     No. 16, l. 2, *for* to *read* that they.  
 p. 285, l. 11, *read* out all closures.  
     Note 1, l. 2, *read* 3 and 4 Edward VI c. 10. § 6.  
 p. 287, No. 22, l. 1, *for* consent *read* content.  
     l. 4, *for* his *read* this.  
     No. 23, l. 2 *read* they that be sick.  
 p. 288, No. 25, l. 1, *read* minister within this diocese do.  
     l. 5, *delete* Christian.  
 p. 289, No. 28, l. 7, *read* upon any of the.  
 p. 293, l. 2 *read* marry both by.  
     No. 16, l. 2, *for* withdraw *read* withhold.  
     No. 18, l. 2, *add* the.  
 p. 297, l. 3, *read* away from the people by.  
 p. 299, No. 40, l. 1, *read* they do diligently.  
     l. 2, *for* of *read* after.  
     No. 44, l. 1, *add* peacemakers.  
 p. 300, note 1, l. 7, *for* *Magnificat* *read* *Nunc dimittis*.  
 p. 301, No. 50, l. 4, *read* any men be.  
     l. 7, *read* at the burial more than.  
 p. 303, l. 4, *read* every word and sentence.  
 p. 304, No. 62, l. 4, *for* served *read* sewed.  
 p. 306, No. 71, l. 2, *for* having *read* leaving.  
 p. 310, Heading l. 2, *for* containing *read* concerning.  
 p. 316, l. 1, *for* English *read* King's.  
     Note 2, l. 4, *for* Vicariorium *read* Vicariorum.  
 p. 317, l. 2, *read* whole of any of the same.  
     No. 12, l. 3, *for* affectuously *read* effectuously.

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- p. 317, No. 13, l. 4, *for serve read seem.*
- p. 318, No. 15, l. 4, *read pronounced and understand.*
- p. 320, l. 4, *read place so to be.*  
     No. 23, l. 8, *read other their duty.*  
     No. 25, l. 5, *read can now no more.*
- p. 321, No. 27, l. 8, *for fair read said.*  
     l. 9, *for charges read canons.*  
     No. 29, l. 3, *read the Church of York according to the  
     ancient custom and ordinances of the said Church  
     without.*
- p. 322, l. 13, *for (ib. c. 11) read (ib. c. 12).*
- p. 323, l. 18, *read and also of the clergy*  
     l. 28, *for may read might.*  
     l. 30, *for creditable read credible.*  
     last l. *read other most just.*
- p. 325, No. 3, l. 1, *read or other person aforesaid.*  
     l. 3, *for orders read order.*  
     No. 4, l. 2, *for diligent read vigilant.*  
     l. 5, *for damned read defamed.*  
     l. 6, *read that the said bishop do stay and.*
- p. 326, l. 2, *for laws read leases.*  
     No. 6, l. 8, *read any evil or corrupt.*
- p. 327, l. 2, *for this read their.*  
     No. 9, l. 5, *read be also divorced.*  
     No. 10, l. 2, *for discretion read direction.*
- p. 328, No. 15, l. 5, *for these read those.*  
     No. 16, l. 2, *for order read doctrine.*  
     l. 3, *for the people read all people.*
- p. 329, l. 2, *for considerations read consideration.*
- p. 331, l. 2, *read opinion good or bad have conceived.*  
     l. 27, *for worth read worthy.*  
     No. 1, l. 3, *for themseleves read themselves.*
- p. 332, No. 4, l. 1, *read Whether ye have your parson.*  
     l. 4, *for -pitably read -pitality.*  
     No. 6, l. 3, *for and maintain read or maintain.*  
     No. 7, l. 8, *read exhorting earnestly his parishioners to  
     come to it and.*  
     No. 8, l. 2, *read or is of suspect.*
- p. 334, No. 15, l. 7, *for faith read youth.*  
     l. 10, *for occupation read execution.*
- p. 334, No. 16, l. 6, *read or being in hatred and malice.*
- p. 335, No. 19, l. 3, *for name read names.*  
     No. 20, l. 6, *read -cially of the.*

### *Corrigenda*

- p. 335, No. 21, l. 1, *delete* one.
- p. 336, l. 2, *for* nourished *read* monished.  
     l. 10, *read* for their so doing.  
     No. 23, l. 4, *read* heretofore laudably been.  
     No. 26, l. 4, *for* that *read* and.  
     No. 28, l. 2, *read* or mansions or houses.  
     No. 29, l. 1, *read* ordered schismaticall[y].
- p. 338, No. 31, l. 4, *read* slander of priesthood.
- p. 339, No. 36, l. 2, *read* parson and.
- p. 340, No. 41, l. 3, *for* not *read* [not].  
     No. 42, l. 4, *read* to extort thereby any money or reward of him or do receive by him or other any money or reward for.
- p. 342, No. 49, l. 4, *read* of his promise.  
     l. 7, *for* washeth *read* washed.
- p. 343, l. 1, *read* the one done for considerations.  
     No. 51, l. 6, *read* man, and man to himself.
- p. 344, No. 53, l. 2, *read* to sing or say.  
     Notes, l. 6, *for* Calrol *read* Cabrol.
- p. 345, l. 9, *for* ropes *read* copes.
- p. 346, No. 57, l. 2, *read* crucifix and rood.  
     No. 64, *read* repaired and maintained.  
     Heading, *read* *Articles concerning the Laity*.
- p. 347, No. 67, l. 3, *read* the *Ave Maria*.  
     No. 69, l. 2, *read* a concubine . . . hath had to do.
- p. 348, No. 73, l. 1, *for* or *read* and.  
     l. 2, *for* and *read* or.  
     No. 73, last line, *for* if *read* of.  
     No. 74, line 3, *delete* or.  
     No. 75, l. 2, *read* fourteen years and above.  
     l. 8, *read* go forth abroad out of their parishes.  
     No. 76, l. 1, *read* that hath murmured.  
     l. 2, *delete* or indirectly.
- p. 349, No. 77, l. 2, *for* or *read* of.  
     No. 79, l. 2, *for* or *read* in.
- p. 350, l. 4, *read* Lent last.
- p. 351, No. 85, l. 4, *read* and many things.
- p. 353, No. 97, l. 2, *delete* all.  
     No. 100, last line, *for* the *read* their.
- p. 355, l. 2, *for* as *read* or.  
     l. 4, *read* to the express.
- p. 356, No. 112, l. 2, *read* to any his scholars.  
     No. 115, last line, *read* the poor as the rich.

### *Corrigenda*

- p. 356, No. 117, l. 2, *read* being new born shall not be brought unto.
- p. 357, l. 3, *for* customs *read* custom; and l. 6.  
No. 119, l. 1, *read* any disorder.  
l. 2, *for* women *read* woman.
- p. 358, No. 122, l. 1, *read* having such advowsons.  
l. 8, *for* they *read* there  
last l. but eight, *read* from the truth or to add unto the truth or to pull.
- p. 362, l. 21, *delete* each.
- p. 364, No. 12, l. 2, *read* upon the Sunday.
- p. 365, l. 1, *for* goodly *read* godly.  
l. 6, *for* there *read* their.  
No. 13, l. 3, *read* and (the same being  
No. 15, l. 11, *for*, that *read* : It
- p. 366, l. 3, *for* ropes *read* copes.  
No. 19, l. 8, *read* do in all.
- p. 367, l. 5, *read* or in haunting and exercising.  
No. 22, l. 4, *read* or curate there shall write the day  
l. 6, *for* name *read* names.
- p. 369, note 2, l. 4, *for* obserrentur *read* obseruentur.
- p. 370, l. 21, *read* spirituality the temporalty.  
last l. *for* that *read* It.
- p. 374, l. 8, *for* incedant *read* accedant.  
last l. *read* si ipsos.
- p. 375, l. 1, *read* precedentibus minime immiscentes.  
No. 3, l. 9, *for* divino *read* divinorum.
- p. 376, l. 16, *for* ut *read* ac.
- p. 377, No. 13, *read* Item cum in proxima precedente visitationis nostre sessione inter dictum dominum decanum et stagiaros.  
l. 4, *read* evangelice veritatis splendore.
- p. 378, No. 14, l. 4, *read* procurent et faciant.
- p. 379, l. 6, *delete* que.
- p. 380, No. 19, l. 10, *read* presentium.
- p. 381, No. 21, l. 5, *delete* turbia†.  
No. 22, l. 1, *for* monemus *read* mandamus.  
l. 4, *read* intersit personaliter.  
l. 5, *for* [con]cionis *read* minucionis.
- No. 23, l. 5, *read* obtenturis et habituris.
- p. 382, l. 3, *for* obtinendis *read* obtinenda.  
l. 6, *read* dimittat.  
No. 25, l. 4, *read* dignitatum.



### *Corrigenda*

- p. 382, No. 25, l. 10, *for habentibus read fiventibus.*  
l. 15, *for rogantur read cogantur.*
- p. 383, l. 15, *read sic quod extraneus huiusmodi sibi de alia domo aut habitatione teneatur providere, et nihilo minus huiusmodi domus.*  
l. 17, *read canonicis.*  
l. 19, *for capituli read capitulari.*  
l. 20, *for nunquam read unquam.*  
l. 25, *for aliquam read aliquem.*
- p. 384, l. 6, *read observare.*  
l. 7, *for distincte read districte.*  
l. 9, *read apposuius.*
- p. 385, l. 7, *read On March 22, 1556, he was ordained priest, and two days later he.*
- p. 387, notes, l. 1, *for eiis read eis.*
- p. 388, l. 4, *read devotiones.*  
No. 29, l. 2, *read synodo.*
- p. 390, No. 51, l. 3, *for fundacione read fundaciones.*  
Note 1, l. 12, *for talibus read talibus.*
- p. 394, No. 13, *for canons, residents read Canons-resident;*  
Note 1, l. 6, *for ecclesiæ read ecclesia.*
- p. 397, l. 5, *for to 1556 read in 1556.*
- p. 399, l. 10, *for ibm read ibidem.*  
No. 1, l. 7, *for alienatis read alienetis.*
- p. 400, No. 6, *for communas read communias.*  
No. 8, l. 2, *for pro vos read per vos.*
- p. 413, last line, *for fratores read fratres.*
- p. 420, No. 23, margin *for 8 read 18.*
- Vol III, p. 132, No. 1 l. 7, *for Minister read Ministers.*  
l. 8 *for Wardens read Warden.*
- p. 151, No. 30 margin, *for Dioc. Arts (1560) read Dioc. Arts (1563).*
- p. 205, No. 11 margin, *for Ibid. read Jewel's Arts (1562).*
- p. 224, the marginal note of No. 7 should be opposite No. 6, l. 4.
- p. 271, l. 7, *for separated from read separated for.*
- p. 281, No. 24 margin, *for ibid. read Grindal.*
- p. 311, No. 35 margin, *for No. 22 read No. 52.*
- p. 344, No. 29 margin *for ibid. read Sandys.*
- p. 351, *delete note 2.*
- p. 357, l. 8, 9 *for metropolitice read metropolitice.*
- p. 377, note 2, l. 1, *for c. 9 read c. 19.*

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## Introduction

### §1

THE supervision of a flock is the first duty of a bishop, as his very name *episkopos* implies. In this lies the origin of that particular part of episcopal oversight which is called Visitation. It is a part of his functions that has taken different forms at various times and in varying circumstances. The documents contained in this collection are for the most part derived from the exercise of the function of episcopal visitation at a particular era and in unusual circumstances: it may be well, therefore, to prefix to them some historic account of the exercise of that function in general. The history has been a good deal different in the East and the West, while the early history is known to us most fully from the East. To the East, therefore, we must first turn; but after a while the centre of interest for our present purpose will be transferred to the West, and will remain exclusively there: as time goes on it will be necessary to narrow the field of inquiry down by degrees till it embraces England only, and so leads on to the documents here printed.

### §2

The earliest preaching of Christianity was in the towns of the Roman Empire; and, so far as our evidence goes, all the chief early triumphs of the Gospel were won in town surroundings. Consequently the organization of the Christian Church is pre-eminently one which follows the lines of the cities and the high roads of government and commerce. Asia was the scene of the rapid development of a governing episcopate having its centres in the towns, and the bishops of the great cities of the Asiatic provinces had a promi-

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ence which is remarkable, as we look back upon it, and must have been the conspicuous model of similar developments elsewhere.

Hardly less remarkable, though more slow and more obscure, was the progress of Christianity in the country districts. It seems almost certain that originally the same Christian organization was set up in a country district as in a town; that, as a rule, the development of the Christian organization at first went on *pari passu* in both spheres of labour; and that the development of the episcopate was no exception to the rule. The bishop became necessary to the life of the village, or at least of the country district; without him all was incomplete: there was not only no perpetuity, for lack of ordination, but also, according to the custom of the earliest ages, no opportunity of celebrating the Eucharist. Consequently in many parts, and notably in Asia, bishops multiplied rapidly in the country districts. The process is, generally speaking, hard to trace: the results only come into view here and there, almost by chance, and incidentally, as when the rise of Montanism in an obscure part of Phrygia forthwith reveals the existence of a country bishop there, in the last quarter of the third century.<sup>1</sup> Other sparse signs show that such a condition of things was by no means abnormal.<sup>2</sup>

When the peace of the Church came, and evidence as to church organization becomes more full, early in the fourth century, it is evident that this multiplicity of bishops in the country districts is, at any rate in some places, regarded as a dangerous and undesirable feature. A movement is in full swing for preventing the prestige of the town episcopate from being lowered by the country episcopate. The rural bishops are now being distinguished from the town bishops by the term *χωρεπίσκοπος*: and their powers, and probably their numbers, are being steadily

<sup>1</sup>Zoticus of Comana, Euseb. *Hist. Eccl.* v, 16.

<sup>2</sup>See for fuller details Gillman, *Das Institut der Chorbischöfe im Orient* (1903), pp. 29 and ff. And note a phrase in the exordium of the synodical letter of the Council of Antioch (269), which seems to distinguish the two classes of town and country bishops. Οἱ λοιποὶ πάντες οἱ σὺν ἡμῖν παροικούντες τὰς ἐγγύς πόλεις καὶ θύνη ἐπίσκοποι. Harduin, *Concilia*, i, 199, or Euseb. *Hist. Eccl.* vii, 30.

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curtailed. Amid much that is doubtful in the canons of early councils—such as those of Ancyra (314) and Neocaesarea (315)—that touch upon the subject,<sup>1</sup> this much at any rate is clear. The town bishops were extending their influence, and even their authority, over the country districts, and the country bishops were losing their old powers and position. In fact the “diocese,” in the modern sense of the word, was now being formed by the assertion of the town bishop that he was capable of superintending a wide area surrounding his central see: and through a growing conviction on the part of the Church that the oversight would be more effectively done if it was left in his hands, rather than in the hands of the country bishops, who had hitherto been responsible. The town thus became the centre of an ecclesiastical area, or diocese, and the great bishop became not merely urban but diocesan.

In the first half of the fourth century information becomes a little less scanty, and councils begin to legislate: the powers of the *chorepiscopi* were more and more restricted,<sup>2</sup> and they themselves were reduced to the position of helpers of the town bishops. The result was centralization, and, no doubt, better government. But the accident that the first appearance of the country bishops or *chorepiscopi* on the open field of conciliar legislation was connected with their curtailment and suppression, had fateful consequences later on.

As the *chorepiscopi* declined in the parts of the world where (owing to a primitive evangelization of the country districts) they had been numerous, a certain reversing of the tendency began to show itself. When once the centralization had been accomplished, the retention of some surviving *chorepiscopi* was a convenience not a hindrance any longer. The diocesan bishop, being responsible for a considerable area, found it convenient to have some one to whom he could delegate part of his oversight, and in particular the Visitation of the more remote parts of the dio-

<sup>1</sup>These are discussed by Gillmann (*ut sup.*) and by Leclercq in his first appendix to the French Translation of Hefele, *Histoire des Conciles*, vol. II, Part II (1908). Cf. Harnack, *Expansion*, II, 100, n.

<sup>2</sup>Cf. Canons 8 and 10 of Antioch (341), Hard. I, 595.

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cese. Consequently devolution to *chorepiscopi* now begins: and large dioceses seem to have a *chorepiscopus*, or perhaps more than one, at this stage, to act as the diocesan's deputy.

The signs of this transition may be traced in the signatures of Eastern Councils. In the year after the first extant evidence of the curtailment of their powers two *chorepiscopi* signed at Neocaesarea—Stephen and Rhodus, both from the province of Cappadocia.<sup>1</sup> At Nicaea in 325 fifteen are to be found,<sup>2</sup> two-thirds of them from the two provinces of Cappadocia and Isauria, the rest from Syria, Cilicia and Bithynia. A hundred years later at Ephesus (431) there are far fewer signatures of *chorepiscopi*: and, more significant still, their style of signature is different. In the earlier councils they had signed as coming from a certain province, being probably still bishops of the country districts: at Ephesus the only clear signature of a *chorepiscopus* is that of Cæsarius, who is described as *chorepiscopus* of a town.<sup>3</sup> Twenty years later at Chalcedon no *chorepiscopus* signs in his own right: but four sign regularly on behalf of their several diocesans; and at the close of the sessions one further signs on behalf of his diocesan bishop, who up till then had signed in person.<sup>4</sup>

<sup>1</sup>Hard. i, 285.

<sup>2</sup>This is the fullest number in any list of signatures, apart from the Arabic list, which is not to be trusted. Gillmann, 34. The evidence of these signatures is borne out by statements of St Basil and St Gregory Nazianzen. See Thomassin, *Ancienne et Nouvelle Discipline*, Bk II, ch. i, and Leclercq, p. 1215.

<sup>3</sup>Cæsarius signs as Χωρεπίσκοπος πόλεως Ἀλεξῆς (Ἀρκῆς) the deposition of Nestorius (Hard. i, 1426): a later signature (*ib.* 1530) is given as episcopus civitatis Sartae. This seems a mistake, for in another document of Ephesus (*ib.* 2510) given as cited at Chalcedon (Hard. ii, 237) signatures are added, and among them that of Cæsarius chorepiscopus Arcesenæ. (By another mistake, reading Χωρεπίσκοπος for Χωρίον, two quartodecimans are made out to be *chorepiscopi* in Hard. ii, 249. Contrast Hard. i, 1522, 1526).

<sup>4</sup>The regular signatures are (Hard. ii, 58 and ff: 278 and ff: 373 and ff: 459 and ff: 471 and ff: 631 and ff) Sophronius for Bassian bishop of Mopsuestia in Cilicia Secunda, Adelphius for Adolius of Arabissi in Armenia Secunda, Adelus for Messalinus of Laodicea (it is not clear which see of that name), Euelpistus (Eulogius) for Florentius of Tenedos in the Hellespont (eo quod habeam manum trementem ex infirmitate, ii, 374): the later one is Paternius who signs for Jordan of Abila in Phœnicia (*ib.* 374). The office of *chorepiscopus* is mentioned in Canon 2 of the Council.

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A further sign of the continuance of some *chorepiscopi* on this new footing, when they were being displaced from the old, may be seen in a transaction of the Council of Nicaea. The eighth canon recommends that a Novatianist bishop who has been reconciled to the Catholic Church might be allowed to serve under the diocesan bishop as a *chorepiscopus*.<sup>1</sup> This action was to produce more remote results than could have been foreseen at the time.

The *chorepiscopi* of the new model seem for the moment to have been widespread. It is perhaps significant that, though the number of signatures is less at Chalcedon than at Nicaea, their area of geographical distribution is wider. There was evidently need for some such devolution of the episcopal functions, if the dioceses with their large area were to be effectively visited. But soon a rival method of attaining the same result appeared, and won its way, to the gradual exclusion of the chorepiscopate. It was to the diocesan's advantage that his deputy should be in close touch with himself, and be his own man. The country bishop could never be this in the way that the archdeacon could. He had attained to a position of eminence through being the bishop's right-hand man in the town. Now, so long as the deputy was one who was expected to perform episcopal functions, there was no scope for an archdeacon in the country. Nor had the country priests, who were more and more acquiring an all-round cure of souls in their districts, any need of him to supplement their ministry: while they did find great value in a *chorepiscopus* to perform those functions that were still reserved to the bishop: and this continued so long as the *chorepiscopi* were exercising episcopal functions. But as the *chorepiscopi* became more and more restricted in that direction, they became less and less useful. Possibly the bishops designedly curtailed their faculties in order to advance the archdeacons who were their own men. In any case it seems clear that, as on the one hand the powers of the local priest developed, and, as on the other hand, the archdeacon advanced into the diocese armed with all the dignity of being the diocesan's representative, the

<sup>1</sup>See the text and notes on it in Bright, *Canons of First Four General Councils*, p. 34.

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*chorepiscopus* retired, being squeezed out between the two others.

In the second council of Constantinople (553) there is no trace of *chorepiscopi*. At the second council of Nicaea they are to be found, but no longer in an episcopal position. They are classed with the higher ranks of the priesthood, who have a restricted power of ordaining to the minor orders only. This is the end of their appearance in the great councils of the East; what is known of them in other connexions bears out this view. They survived, and perhaps even nominally survive still in the separated churches of the East, but only as a survival.<sup>1</sup>

### §3

The archdeacons who thus rose on the fall of the *chorepiscopi* became the great coadjutors of the bishops. In their duty of visitation, however, the bishops in the fifth and sixth centuries, in so far as they did not visit in person, seem to have depended upon a somewhat transitory class of church officers who appear to have been brought into existence solely for this purpose. These are the priests who had the title of *περιοδευται*, a somewhat obscure body. The first clear evidence of them is in the 57th Canon of Laodicea (380), where they are to take the place hitherto occupied by the country bishops. Ὅτι οὐ δεῖ ἐν ταῖς κώμαις καὶ ἐν ταῖς χώραις καθίστασθαι ἐπισκόπους, ἢ ἀλλὰ περιοδευτὰς, κ.τ.λ.<sup>2</sup> But it is not clear that the expedient was commonly adopted, and it is rare to find mention of these visitors. At the Council of Chalcedon in 451 two emerge: Alexander *πρεσβύτερος καὶ περιοδευτῆς*, who is sent with a message to the Emperor,<sup>3</sup> and Valentine. A few years later the Council assembled at Constantinople under Gennadius (460), in reaffirming the canon of Chalcedon against simoniacal appointments, extended it to include the

<sup>1</sup>See their further history, which does not concern us here, in Leclercq, *op. cit.* 1218–1220. Cp. Morinus, *De ordinationibus*, ii. 51 and ff.

<sup>2</sup>Hard. i, 791.

<sup>3</sup>Actio iv, Hard. ii, 431.

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περιοδευτής. The same officer is also mentioned as one to whom the decision of the Council is to be notified, as well as to the bishop: and in this connexion there is no similar mention of a *chorepiscopus*, though there is such a mention in the canon of Chalcedon and the new decision now made, reaffirming it.<sup>1</sup> At the later council at Constantinople under Mennas (536) there is repeated mention of a certain Sergius described as priest and περιοδευτής τῶν ἁγίων ἐκκλησιῶν ἐπιχωρίων τῆς πρώτης Σύρων ἐπαρχίας, where the word ἐπιχωρίων shows the close connexion between the newer office and the older.<sup>2</sup> The office was borrowed by the Syrians from the Greeks and remained for some time in use among them as a substitute for the vanished *chorepiscopus*.<sup>3</sup> Beyond this there is little mention of these visitors: and the expedient seems not to have enjoyed much vogue.<sup>4</sup> The Eastern dioceses remained small, and the visitation was for the most part done by the bishops themselves.

### §4

In other parts of the world besides Asia, and the further East, wherever the evangelization of the country districts had gone on apace in early days, there was liable to be found in the original state of affairs, the same multiplicity of country bishops. This was not, however, uniformly the case; as the case of Egypt will shew, although it is to a certain extent an

<sup>1</sup>Hard. II, 783. The Code of Justinian (Lib. I, tit. III, c. 42, § 9.) mentions "Episcopus, chorepiscopus, visitator sive circuator, presbyter."

<sup>2</sup>Hard. II, 1191, 1215, 1223, 1231, 1239, 1250.

<sup>3</sup>Leclercq, *loc. cit.* p. 1236. Cp. *Lit. Homilies of Narsai*, 18,

<sup>4</sup>Leclercq (*loc. cit.* 1207) takes these officers to be itinerating priests as contrasted with a priest exercising a fixed cure: but the letter which he quotes from Phileas of Thmuis to Miletius of Lycopolis (*P. G.* x. 1566) does not seem very clear. Another attempt has been made to deny to the περιοδευτής any necessary connexion with visitation, by deriving the term from a use of the verb to describe medical rather than ecclesiastical visits (Suicer, *Thesaurus sub voce*). But it is clear from Athanasius (*Apol. contra Ar.* 74) and from Basil (*Epist.* 95 [241]) that the word περιουσία has its ecclesiastical meaning of visitation.



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ambiguous one. We know from St Athanasius that the country area of the Mareotis was without a bishop or even a *chor-episcopus* of its own and depended directly on Alexandria.<sup>1</sup> This being so, it is natural to find the bishop visiting the country parts in person; and particularly interesting to have a picture of St Athanasius thus occupied, such as is given in his *Apologia*.<sup>2</sup> It was evidently a very formal proceeding: for in rebutting a charge, trumped up against Athanasius and based on an event which was alleged to have occurred during one of his Visitations, the clergy of the Mareotis asserted that they were always in attendance on him throughout the whole time of his Visitation. Thus he must have travelled about accompanied by some fifteen priests and as many deacons, besides "a considerable number of the people."

This was, however, probably not the usual condition of church organization in Egypt. We know from the same source<sup>3</sup> that at the time of Athanasius there were nearly a hundred bishops in Egypt, Libya and Pentapolis. Many of these must have been bishops of country districts, even if they were not known by the technical term *chorepiscopus*. It is not clear, therefore, whether the remark of Athanasius about the particular district of the Mareotis is to be taken as evidence for, or against, the prevalence of a chorepiscopate in that part of Christendom as a whole. It is, perhaps, more probable that the course of events in Egypt was similar to that in Asia: *i.e.*, that there were in most parts country bishops, who were first reduced to the position of *chorepiscopi*, and then caused to disappear.

It is, however, possible, on the other hand, that the same change took place in Egypt that seems to be traceable in Italy. There no trace is forthcoming of any chorepiscopate. There are signs of a multiplicity of country bishops<sup>4</sup>: and some signs also that there too in the fourth century the tide set strongly against a multiplication of bishops, no doubt because there too it was found that there was a danger of the

<sup>1</sup>*Apol. contra Arianos*, § 85.

<sup>2</sup>*Ibid.* § 74.

<sup>3</sup>*Ibid.* § 71.

<sup>4</sup>Leclercq, *ut sup.* p. 1210.

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lowering of episcopal credit and capacity. The clearest evidence that this was felt in the West as well as in the East is to be seen in the sixth canon of the Council of Sardica (342-343),<sup>1</sup> which in its second part forbids the setting up of a bishop in a village or a small town, or any place where a priest will be a sufficient provision, "for there is no necessity to have a bishop for such places, and the name and authority of the episcopate must not be made cheap." While the multiplication of bishops was thus being checked, it seems that there was also some reduction going on. This does not, however, seem to have involved, as in the East, the intermediate stage represented by the chorepiscopate. As the bishops of the larger places asserted their ability to supervise a larger area than merely that of their respective towns, and as they consequently took the suburban country area into their field of jurisdiction and visitation, the country bishop and his see disappeared.

The dioceses in Italy remained small; naturally the bishop only undertook such a district as he found that he could visit effectively. The effect of this policy survives even to the present day. Still the Italian dioceses are small; the bishop has only such an area as he can personally supervise; and in Italy there has never been much done in the way of devolution by the bishops of their duty of visitation to other persons—archdeacons or the like.

In other parts of the West the case has stood quite otherwise. In Africa, Spain and Gaul the chief evangelization of the country districts is not primitive, but is subsequent to the change of policy which we have observed at the beginning of the fourth century with regard to the multiplication of the episcopate. Henceforward, therefore, what we have to trace is, not the centralization of church government by the suppression of the small bishops, but the subdivision of large episcopal areas, as the work extends into the parts that lie remote from the centre where the bishop resides.

Still the same principle holds good. The ideal diocese or

<sup>1</sup>Bruns, *Canones*, 1, 92. This is not one of the canons whose authenticity is in any sense doubtful. See Babut in *Trans. 3rd Congress for Hist. of Religions* (Oxford. 1908), 11, 345 and ff.

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sphere of a bishop's jurisdiction is that area over which he can have an effective oversight, and which he can satisfactorily visit. But the working out of this principle produced different effects in different places.

In Africa it produced an immense number of small dioceses. There was apparently some custom prevalent which allowed a bishop the right to consecrate a subordinate bishop within his diocese, involving, perhaps, some devolution of his powers and duties.<sup>1</sup> There was further the great complication introduced by the Donatist schism; for the schismatics multiplied dioceses and bishops of their own; the Catholics indeed charged them with doing so recklessly, in order to make their numbers appear large<sup>2</sup>; and further, as the Donatists became reconciled, provision was made for the bishops who returned, by some subdivision of dioceses.<sup>3</sup> But the main force that produced subdivision was the need of oversight and visitation. A high ideal of the duty of visitation prevailed there with regard both to the bishop in his diocese and the metropolitan in his province. In the province an annual metropolitcal visitation was for a time the rule,<sup>4</sup> and it is probable that it was at least as frequent an event in the diocese. Where effective visitation was not possible, the diocese was divided. An instance of this is forthcoming from the career of St Augustine, and our evidence of it comes from the saint himself.<sup>5</sup> A part of his area called Fussala came over

<sup>1</sup>*Codex Can. Eccl. Afr.* No. 56 (from the 3rd Council of Carthage in 397 No. 7) in *Hard.* 1, 894.

<sup>2</sup>*Collatio Carthag.* in 411 No. 165. *Ibid.* 1, 1096.

<sup>3</sup>*Codex Can. Eccl. Afr.* No. 118 (from 16th Council of Carthage, 418, No. 10). Previous regulations *Codex* No. 99 (from 11th Council of Carthage in 407, No. 5) had only sanctioned a temporary subdivision for the reconciled bishop's lifetime. *Hard.* 1, 931 and 922.

<sup>4</sup>This was ordered at the Council of Hippo in 393, and the order was renewed four years later at the 3rd Council of Carthage in 401 (*Hard.* 1, 961, 971), but six years later the 11th Council of Carthage ordered the provincial synod to meet only when occasion demanded (*Ibid.* 919).

<sup>5</sup>*Sed quod ab Hippone memoratum castellum millibus quadraginta se-jungitur, cum in eis regendis et eorum reliquiis licet exiguis colligendis. . . me viderem latius quam oportebat extendi, nec adhibendæ sufficere dili-gentiæ quam certissima ratione adhiberi debere cernebām, episcopum ibi*

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from Donatism; but it lay forty miles away from Hippo, and Augustine did not feel that he could give it the attention that it needed in person. He therefore subdivided the diocese and established another bishopric there.

The same care was exhibited with regard to the visitation of the province. In St Cyprian's day the primacy of Carthage was the only piece of organization existing to secure some oversight of the bishops in the three provinces of Africa and of their administration. In Diocletian's rearrangement of the civil divisions of the Empire the "diocese" of Africa became six provinces. The ecclesiastical organization slowly followed suit, by the establishment of corresponding primacies in the course of the fourth century.<sup>1</sup> Carthage, while it took its place in this scheme as metropolis of Africa proper, retained also its old unique position with an oversight of all the provinces.

In Spain and Gaul the case was very different: There the episcopal sees were few and the area dependent upon them wide. As evangelization proceeded, various expedients were tried, in order to cope effectively with the steadily increasing task of the bishops of the ancient and central sees. Of these expedients the subdivision of the diocese was the most natural and obvious. In Spain the custom of episcopal visitation was old and well-established; but there was a difficulty in securing it. In 516 the Council of Tarragona ordered that the old-standing practice should be observed, and the churches should be visited every year by the diocesan bishop.<sup>2</sup> It was clearly impossible to carry this out in a very large diocese; but yet the bishop of such a diocese might well be loth to have his diocese divided. One instance is forthcoming in which such a subdivision was made at the instance of the civil power, viz., at the Synod of Lugo in 569. The motive here was the securing of proper visitation; for King

ordinandum constituendumque curavi. Ep ccix (261) ad Celestinum Rom. Ep. § 2. Compare the excuse that he makes to Celer in Ep. lvi (237), Visitationum ecclesiarum ad meam pertinentium curam necessitate profectus sum.

<sup>1</sup>See Leclercq in Hefele, *Hist. des Conciles* (1908) note, vol. II, pt. I, p. 85.

<sup>2</sup>Can. 8 in Hard. II, 1042: included in Gratian *Decret.* II, x, q. I, § 10.

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Theodemir addressing the bishops whom he had convoked, thus explained his action:

quia in tota Gallaeciae regione spaciosae satis dioceses a paucis. episcopis tenentur, ita ut aliquantae ecclesiae per singulos annos vix possunt a suo episcopo visitari.<sup>1</sup>

The same policy, and the same motive alleged for it, may be seen in a contemporary instance from Gaul. An isolated letter of the middle of the sixth century reveals to us the fact that a move is being made for the subdivision of the diocese of Sens, on the ground that the bishop Leo did not visit it properly, either in person or by deputy. The fact was true; and, so far, the plan was amply justified; but Leo's reply was that the fault was not his own, but the King's, because he had prevented him from visiting. It was, no doubt, reasons other than solicitude either for ecclesiastical propriety or for the advantage of the flock, that made Childebert anxious to set up the new see at Melun; but the excuse that he put forward is significant, and to the point in this connexion.<sup>2</sup>

In Gaul too we see the same motive working towards the further development of the provincial system also. In fact the first introduction of that system into Southern Gaul took place owing to considerations of this sort, as an outcome of the Council of Turin (c. 401). Up to that time the senior bishop of the district had presided at Councils by right of seniority,<sup>3</sup> as is clear from the signatures of the Council of Valence<sup>4</sup> in 375 and of Nîmes<sup>5</sup> in 396. But at this point changes are made. Proculus the bishop of Marseille is now to exercise metropolitical powers over the civil province called Narbonensis Secunda on account of his personal relations with those churches, notwithstanding the fact that Marseille is not in that province; but this arrangement is to last only

<sup>1</sup>Hard. III. 373, and Hefele, III. 395.

<sup>2</sup>See Leo's Letter in *P. L.* LXVIII, II.

<sup>3</sup>Duchesne, *Fastes Episcopaux*, I, 89, 346. Leclercq-Hefele, *Histoire*, II. 131.

<sup>4</sup>Harduin *Conc.* I, 795, or (fuller) Mansi *Conc.* III, 491.

<sup>5</sup>The Acts of this Council are not included in the older collections. See them in Hefele, *Hist. of the Councils*, II, 403.

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for his lifetime. Further the Council finds it difficult to decide whether Arles or Vienne should have the primacy over the civil province called Viennensis, and suggests the division of the province between the two in the following terms:

Unaquaeque [sc. urbs] de his viciniore sibi intra provinciam vindicet civitates, atque eas visitet, quas oppidis suis vicinas magis esse constiterit.<sup>1</sup>

### §5

Besides the expedient of subdividing the diocese in order to secure effective visitation, there was the alternative of appointing a deputy to visit in the bishop's name. In considering the working out of this alternative in the West we are again brought face to face with the two classes of deputy whom we have encountered in the East, viz., the *chorepiscopus* and the archdeacon.

During all this period there has been no sign of the former expedient being adopted in the West. It is significant that Rufinus in his version of the Nicene canon<sup>2</sup> omits the reference to the chorepiscopate. Similarly in the Isidorian version the canon of Ancyra begins apologetically

Vicarios episcoporum quos Greci corepiscopos dicant...<sup>3</sup>

On the other hand the precedent set at Nicaea was seen before long to be likely to prove serviceable in other episcopal impasses besides that which confronted the Nicene fathers owing to the return of the Novatianist bishop. Accordingly the Gallican council of Riez in 439 followed it in the case of a troublesome bishop, Armentarius of Embrun.<sup>4</sup> He was deposed from his see but given the position of a *chorepiscopus*. This procedure suggests that the office of *chorepiscopus* only became known in the West through the

<sup>1</sup>Hard. i, 958.

<sup>2</sup>Turner, *Ecclesiae Occid. Monumenta Juris*, i, 207.

<sup>3</sup>*Ibid.* ii, i, 84. Similarly the collection of Greek canons formed by Martin of Braga in 562 for Spain omits the *chorepiscopi*. Cap. lvi in *P. L.* cxxx, 575-588, or Hard. iii, 397.

<sup>4</sup>Canon 3 in Hard. i, 1749.

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canons of the foregoing Eastern councils:<sup>1</sup> and that thus as the office disappeared in the East it began in the West. This stands alone: and there is no sign of any further development of the chorepiscopate in the West till it was possibly introduced by Agapius of Cordova in the early years of the seventh century. The council of Seville (Hispania) in 619 took note that he had appointed "(chorepiscopus vel) presbyteros" who were to consecrate altars and churches: and ordered that (being apparently not in episcopal orders) they were not to perform episcopal duties.<sup>2</sup> If this prohibition put a stop to the revival of *chorepiscopi* at the time (and there is no further mention of them for a while) it did not do so permanently. Later in the century a few *chorepiscopi* appear sporadically, and apparently without any idea that they are to co-operate with the diocesan in visiting the diocese. Either the position is honorific, or the *chorepiscopus* is a coadjutor, with or without a right of succession, or he is allotted an outlying district in which to perform some restricted functions.<sup>3</sup>

Soon, however, a more serious establishment of a revived chorepiscopate came out of the missionary labours of the English saints, Boniface and Willibrord, in the middle of the eighth century, and in consequence of the new set of circumstances created by the conversion of the German people. In face of the difficulties of the task the old objections to the plan vanished. Or perhaps it is truer to say that the term *chorepiscopus* had now become part of the terminology of the West through its acquaintance with the old Eastern canons: and that it was seized upon at this juncture as a suitable name to describe the missionary bishop who was now needed to take the oversight of a large area under the general supervision of the Leader of the

<sup>1</sup>Isidore's handling of it in his *De Eccl. Off.* ii. 6, seems to imply no more than this.

<sup>2</sup>Hard. III, 559, but it is possible that the bracketed words and other references to *chorepiscopi* are interpolations, due to the same impulse as produced the later forged decretals of Popes Damasus and Leo (*Decr. Pseudo-Isid.* ed. Hinschius, pp. 509, 628) which borrow from this canon.

<sup>3</sup>Leclercq, Appendix 1 to vol. II, part II, of Hefele, *Hist. des Conciles* (1908), pp. 1225 and ff.

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Mission from his centre, or wherever he might be. The *chorepiscopi* returned; but they came in under the auspices of the Greek fourth-century canons made in order to discredit them and restrict their power. It is not surprising therefore to find that, as they developed, they were the object of increasing hostility. When Pippin put a question to Pope Zacharias as to the way in which he was to regard them, the Pope replied<sup>1</sup> with the stock quotation from the council of Antioch. The reply seemed to give some papal countenance to the *chorepiscopi*, and so far to be in their favour; but on the other hand the old attitude of mistrust and the old policy of restriction were by the same means reproduced. Before very long they had become the centre of a fine little controversy, especially owing to the fact that the chorepiscopate now was being developed to a new extent in the Frankish Empire generally.

The old rivalry with the archdeacon very naturally again broke out when this kind of bishop's deputy was revived. The archdeacon in the West had acquired by now a far greater authority in the diocese, and in the special matter of visitation, than he had ever had in the East. Starting from the very special link that there was between the bishop and the deacons in primitive days, it was a natural development that one had come to have a priority over the rest, and had so attained the title of "Archdeacon."<sup>2</sup> Though his earliest functions were mainly personal to the bishop, and were either administrative, especially in regard to the comprehensive and centralized finance of the church, or else liturgical, in supervising the services of the cathedral, or else disciplinary, in controlling the deacons and even the other clergy: and though most of his duties thus tended to keep him at the centre, it was only natural, as we have already noted in the East, that the bishop should choose the archdeacon to send abroad on errands of special importance; and natural too that by this means he should come to represent the bishop in important matters throughout the

<sup>1</sup>Zacharias *Epist.* vii, in *P.L.* lxxxix, 932.

<sup>2</sup>The earliest use of the title seems to be that of Optatus applied to Caecilian of Carthage, c. 360, *De Schism.* i, 16.



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diocese. In the large areas of the West he was especially sent as the bishop's deputy for visitations, and before long it was an established custom that the archdeacon should go regular tours of inspection on the bishop's behalf. For Spain we have the testimony of Isidore of Seville (630-636), who, in describing the duties of archdeacons, says thus:

Sollicitudo quoque parochitanorum, et ordinatio, et jurgia ad ejus pertinent curam. Pro reparandis diocesanis basilicis ipse suggerit sacerdoti. Ipse requirit parochias cum jussione episcopi, et ornamenta vel res basilicarum parochitanarum, gesta libertatum ecclesiasticarum episcopo idem defert.<sup>1</sup>

At the same time it must be noted that this duty was not assigned to him as yet universally, even in Spain; for the Fourth Council of Toledo (633) directs, that in the case when the bishop cannot make his own annual visitation *per cunctas dioceses et parochias suas*, he should send *presbyteros probabiles aut diaconos* in his place.<sup>2</sup> But, for all this, the tide was setting steadily in the direction of treating the archdeacon as the natural substitute for the bishop in the work of visitation. The extent to which this had become general in the Frankish Empire by the middle of the century is well illustrated by the fact that when Marculf the monk compiled his Formulary (c. 660), he placed at the head of it two formulas for a charter granting to a monastery an exemption from being visited either by bishop or archdeacon.<sup>3</sup>

The new development of the chorepiscopate a century later was therefore bound to come into conflict with the archidiaconate. A specimen of the sort of difficulty that was being widely felt may be seen in the church of Reims. Ebbo, who became archbishop there in 816 and held the position for two periods between that date and his death in 851, drew up a document on the subject of the duties of the clergy of the church, which looks like an attempt at a

<sup>1</sup>Isidore, *Epist. ad Leudefredum*, II; Migne, P. L. LXXXIII, 896.

<sup>2</sup>Hard. III, 587.

<sup>3</sup>P. L. LXXXVII, 698, 700. And compare many such actual charters of exemption cited by Schröder (see below). But the date of Marculf's documents is often uncertain.

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concordat.<sup>1</sup> First, the duties of the *Praepositus* are detailed; then the duties of the archdeacon, and it is significant that there is no mention of any duty of visitation. Then follows a statement of the work of the *chorepiscopus*, and though visitation is not mentioned, it is implied throughout. A definite district is allotted to the *chorepiscopus*, and in that he is to exercise the bulk of the episcopal functions.

When Hincmar succeeded to the see of Reims in 845 he altered all this plan. He was the great enemy of the chorepiscopate, and so prominent in the attack upon it that he is even said to have been responsible for some of the forged documents which were produced by its enemies in order to strengthen their case against it. In the documents of his regime visitation is very much to the front, not as the duty of the *chorepiscopi*, for they disappear, but of a new set of officers called the *Magistri et Decani*. Hincmar's *Capitula* prescribing to them the lines of their inquiry and report to the archbishop are practically the earliest extant set of Visitation Articles, while the corresponding *Capitula presbyteris data* of 852 are a set of Injunctions.

On further investigation it seems to emerge that, of these new officers, the *magistri*, at any rate, are something very like the archdeacons under another name. They reappear in the later *Capitula superaddita* (which are further injunctions of 857), as *comministri nostri*; while the *decani* are clearly the leading local priests familiar to us as "rural deans." In a further set of injunctions of 874 the identification of the *magistri* with the *comministri* is made still plainer; while the final set of injunctions of 877 is headed thus: *Hincmarus archiepiscopus dedit comministris suis haec capitula quae sequuntur, Guntario et Odelhardo archidiaconis presbyteris*.<sup>2</sup>

These proceedings at Reims are probably typical of much that was going on elsewhere. From the beginning of the ninth century the controversy was severe; and, if the *chorepiscopi* had not had stout champions, especially among the laity who were anti-episcopal, they would have disappeared sooner. The old story repeated itself; there was a

<sup>1</sup>*De Ministris Remensium Ecclesiae*, P. L. cxxxv, 407-410.

<sup>2</sup>These documents are all given in P. L. cxxv, 773-803.

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gradual curtailment of their functions, and, as the exercise of episcopal power was more and more withdrawn from them, they were less and less able to be successful rivals to the archdeacons. So they fell as the others rose. Ultimately the title *chorepiscopus* became in France, as in the East, a mere title not implying episcopal order; and then it disappeared.

In Germany the same rivalry did not exist in its sharpness. For one thing the credit of the *chorepiscopate* was greater; and it had, after the early days of its patronage by the great missionaries were gone, the advantage of the advocacy of Rabanus Maurus, the great archbishop of Mainz. All this delayed its extinction, but was powerless to avert it. The evil auspices under which the start had been made, and the skilful forgeries which were wielded by the enemy, constituted a force which could not be victoriously resisted. So far as visitation was concerned, the archdeacons in Germany were not keen rivals: for from the first establishment of them by St Boniface, they had been confined to the care of the work at the centres, and not sent to tour about the districts. Yet here, too, as in France, it is noteworthy that when the *chorepiscopi* finally disappeared, the archdeacons acquired for a time the reversion of their title.

### §6

A further development in the position of the archdeacons, and one that bears directly on their work in visitation, is their multiplication in a given diocese, and the assignment to them of districts or archdeaconries. This grows out of the suppression of the *chorepiscopate*, and is therefore earlier in France than in Germany. A plurality of archdeacons has already been mentioned in connexion with the last set of injunctions issued by Hincmar; it is also implied by his earlier use of the term *magistri* or *comministri*. It is assumed by the Council of Paris (829)<sup>1</sup>, and possibly it began a good deal

<sup>1</sup>Can. 25. Hard iv. 1313.

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earlier than this. In any case there followed naturally upon this multiplication of archdeacons the delimitation of a special area as an archidiaconate: the term itself first appears in the tenth century and is common in the eleventh. This, therefore, like the diocese, comes into being as an area defined for the purposes of effective visitation. Already the position of the deans had been made clear, and for them too an area had been defined; so the whole machinery was prepared that was required for visitation in subsequent days and even down to the present time.<sup>1</sup>

### §7.

It will be well before turning to study the history in England to gather up some general ideas as to the work done in visitation by the bishop and others who visited on his behalf. First, while the diocese was in the missionary stage, the primary object was that he should go about evangelizing. When, later on, the diocese passed into a more settled stage of Christian life there were three main purposes to be kept in view: (a) pastoral, (b) administrative, and (c) judicial, and these in their bearing upon (i) the clergy and (ii) the laity.

Of the pastoral duties the most obvious was that of giving confirmation. Thus St Jerome says:

Non abnuo hanc esse ecclesiarum consuetudinem ut ad eos, qui longe in minoribus urbibus per presbyteros et diaconos baptizati sunt, episcopus ad invocationem Sancti Spiritus manum impositurus excurrat.<sup>2</sup>

Indeed, this sometimes seemed to be the main duty of a visitation, at any rate so far as the laity were concerned. It

<sup>1</sup>For the later history of the chorepiscopate see Leclercq *loc. cit.*, pp. 1224-1234; and for them as well as for the archdeacons see Schröder, *Entwicklung des Archidiaconats* (1890), especially pp. 33-48 and 78-83. Cp. Hauck, *Kirchengeschichte Deutschlands*, ii. 721 and ff. Hinschius, *Kirchenrecht*, ii. 162-9.

<sup>2</sup>Jerome, *Dial. c. Lucif.* 4. Cp. an exhortation of St Gregory on the subject, *Epist. Lib. XIII.* No. 18. But visitation usually in his letters means the temporary care taken of a vacant diocese by a neighbouring bishop.

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was this that was specially emphasized in the system set up by St Boniface for the German church. His first German synod spoke thus:

Quandocunque jure canonico episcopus circumierit parochiam ad confirmandos populos, presbyter semper paratus sit ad suscipiendum episcopum, cum collectione et adjutorio populi qui ibi confirmari debet.<sup>1</sup>

And two years later it was echoed at the Council of Soissons representing the more Western Frankish church.<sup>2</sup>

Another special duty was the episcopal action of consecrating churches or altars. Both these necessitated that the bishop should visit the parishes, and were unlike those other parts of the bishop's office for which the people could come to him, such as the ordination of clergy, the blessing of abbots or abbesses, the hallowing and distribution of the holy oils, etc. Side by side with these was the pastoral duty of banishing erroneous doctrines whether of heathenism or of an imperfect form of Christian faith. This duty is constantly mentioned among the objects of a visitation.

On the administrative side special emphasis was laid upon the supervision of church fabrics and ornaments. The decay of church buildings for want of such oversight was the grievance which necessitated the canon of the Council of Tarragona in 516, already alluded to.<sup>3</sup> Fifty years later another Spanish Council, at Braga in 572, was laying down more minute regulations as to the procedure of a visitation. The bishop is to visit every parish, interview all the clergy and inquire as to their method of performance of services, giving instruction where necessary. On a later day he is to summon the laity and teach them in matters of faith or conduct.<sup>4</sup>

Another injunction on the subject may be quoted out of many that are to be found in the canons of Spanish Councils of the seventh century. The thirty-sixth canon of the Fourth Council of Toledo (633), already quoted above, puts the

<sup>1</sup>Canon III of the Council of April 21, 742. Hard. III, 1920.

<sup>2</sup>*Ibid.* 1933. Canon IV.

<sup>3</sup>See above, p. 19.

<sup>4</sup>Canon I of the Second Council of Braga. Hard. III, 386; Bruns, II, 39.

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inquiry as to church fabrics in the first place among the first duties of the bishop in his annual visitation tour; while the priests or deacons whom he sends to act as visitors on his behalf, if he himself is prevented, are directed that *reditus basilicarum et reparationes et ministrantium vitam inquirent*.<sup>1</sup>

The legal and judicial business was never far away from the episcopate though it was only in course of time that any organized system of episcopal courts developed. From the first the bishop was a judge among Christians, and he long continued to exercise his judicial functions personally, as a magistrate does still to-day, having the assistance of some expert, usually his archdeacon, as the magistrate has expert help. His visitation then, naturally, was the occasion for the settlement of many disputed questions and might become almost like a tour of assize. To the legal side also belong all the troublous questions, which arose early and continued long, about the charges laid upon the clergy for the entertainment of the bishop and his suite and other expenses of the visitation.

Closely connected with the visitation was the holding of synods. The assembly of bishops in synod goes back to the early days of the Church: the gathering of the clergy round their bishop in a diocesan synod is a later growth, and one which runs to a considerable extent parallel with the practice of visitation. The gathering of the clergy to one centre and the journey of the bishop round the different centres were each the counterpart of the other. In France the diocesan synod had become an annual event by the middle of the sixth century. The Synod of Auxerre (573-603) is the earliest of which the acts are extant, and among its canons is one ordering yearly a synod of priests in the middle of May and a synod of abbots at the beginning of November.<sup>2</sup>

The development of the diocesan synods was bound up to a certain extent with the devolution by the bishop of his visitatorial duties. When he summoned the clergy regularly to meet him, he could more easily dispense with paying them a personal visitation, and more easily, therefore, leave

<sup>1</sup>Hard. III, 587; Bruns II, 233.

<sup>2</sup>Can. 7. Hard. III, 444; Bruns II, 238.

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the visit to the parish to be paid by the archdeacon or other deputy. At the same time the synods could not entirely dispense with the need of episcopal visitation. If for no other reason, the bishop was bound to go round the diocese from time to time in order to give confirmation, which the archdeacon could not do. In fact, from this and other circumstances, it came about that the episcopal visitation concerned the laity as well as the clergy, while the archdeacon's visitation of early days concerned almost exclusively the clergy and church officers; and ultimately it became customary for the bishop's visitations to take place at longer intervals than the archdeacon's.

By the end of the ninth century the procedure of visitation had become clearly prescribed. Following on the lines of earlier councils such as those that have been quoted, and also on the Carolingian legislation,<sup>1</sup> Walter of Orleans<sup>2</sup> in 867, Hincmar, as has been already noted, in 852-877, and Regino of Prüm<sup>3</sup> at the beginning of the ninth century give directions varying in fullness. Those of Hincmar run to the greatest length, but the work of Regino, which in many respects follows Hincmar's, is the most systematic. He opens his *Libellus de Ecclesiasticis Disciplinis* with sections detailing the duties of a bishop, of which Nos v-xiii are concerned with Visitation. Prefixed to this is a set of ninety-five articles of inquiry for a bishop, or his deputy, in visiting the parishes of the diocese; these are of sufficient interest to be summarized here, by way of conclusion to this section and to the earlier and more general part of this historical sketch.

The first fifteen articles have to do with the church, its ornaments and its lands. What is the dedication of the church, or by whom was it consecrated? Is it in good repair, not used as a barn, free from birds, and provided with a proper porch and with bells? Is the altar suitable, properly vested, and surmounted by a pyx for the continual reservation of the Sacrament for the sick? The reliquaries and crosses are next to be scrutinized, the enclosure of the relics in the altar,

<sup>1</sup>See the Synod of Aachen (836) in *Capitularia* (M.G.H.) II, 2, c. 5.

<sup>2</sup>*P. L.* CXLIX, 725.

<sup>3</sup>*P. L.* CXXXII, 187. or Ed. Wasserschleben, 1840.

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the chalice and paten, and the place of their storage, the corporal, the vestry and the piscina. Next the books and vestments must be found to be adequate, and also the lights and candles. Then inquiry is to be made as to the church lands, the house and the tithepayers.

A far longer list of fifty-eight articles is concerned with the life and conversation of the priest. There must be nothing suspicious about his house or the company that he keeps. His morals and occupations must be above reproach; he must do no Agent's work and wear no secular clothes. He must be diligent in his care of the poor and sick, in baptizing, shriving and burying without any fee. With the help of his clerk he must say his mass at nine o'clock (besides the day and night hours, also in church, not elsewhere, at the proper times), and he must fast till midday in case some stranger or traveller comes and wants a mass. An inquiry is to be made into his preaching and his instruction of the people in the Lord's Prayer and Creed. He must be found uncorrupt in his administration of discipline, punctual in his observance of the Great Litany, the Rogation Days, Ember Days and Lent. He must invite his people to confession on Ash-Wednesday, and see that they communicate at least at Christmas, Easter, and Whitsunday. He must not encroach upon the rights of his neighbouring fellow clergy, nor take part in undesirable social gatherings. There are various other points of ceremonial that must be inquired into, various other ornaments to be made sure of, and various professional slovenlinesses that are to be excluded. Also his financial administration must be looked into, to see that he does not pawn or alienate church property, that he rightly divides his tithes into the recognized four portions, and that he gives the people their *eulogiae*. It must also be ascertained that he prevents his people from various unworthy customs, such as dancing in the church porch, singing devilish songs at wakes, and the like.

Under this head and also under the next one inquiries are to be made as to the antecedents of the priest, the way in which he reached Holy Orders and the cure in question, and also as to his parentage and wholeness of body. Lastly, four-



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teen inquiries deal with his capacity to exercise his ministry duly, by being orthodox, learned, familiar with his service books, the kalendar, the homilies of St Gregory and the Penitential.

Truly a visitation was a serious ordeal where this was carefully carried out.

### §8

In England the earliest visitations belong to the class of missionary journeys. The pictures given by Beda of the circuits made by St Aidan or St Chad in the seventh century<sup>1</sup> form a fitting counterpart to the similar portrait drawn by Sulpicius Severus of St Martin travelling about his district in the fourth century.<sup>2</sup> The more formal visitation of later days can hardly be said to begin so early, though a first approach to it may be seen in the tour which Archbishop Theodore took throughout England on his first arrival in 669. This, too, was a tour of evangelization and teaching; but it is expressly said also that

Theodorus, perlustrans universa, ordinabat locis opportunis episcopos et ea quae minus perfecta reperit, his quoque juvantibus corripbat.<sup>3</sup>

The tour had then to some extent the character of a metropolitical visitation. From time to time other sketches of a bishop in the course of his visitation are given in the early church history of England. Eddi tells of Wilfrid restoring a child to life as he was riding round his diocese

ad varia officia episcopatus sui, baptizandi utique, et cum manus impositione confirmandi populos.<sup>4</sup>

The biographer had probably often accompanied him on such visitations. Wilfrid's contemporary, John of Beverley, is equally found on his tours, and working his miracles on

<sup>1</sup>*Hist. Eccl.* III, 5, 17, 28.

<sup>2</sup>Sulpicius Severus, *Epist.* I, iii; *Dial.* II, 3.

<sup>3</sup>Beda, *Hist. Eccl.* IV, 2.

<sup>4</sup>*Vita*, c. xviii in *Hist. of Cb. of York* (Rolls Series), p. 28.

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the way, if we may believe Folkard, who wrote his life four hundred years later. He had gone to Burton to dedicate a church when he cured his host's wife; he was visiting the monastery of Beverley when another portent took place; and it was at a confirmation on one of his tours that he restored a boy to life with the chrism.<sup>1</sup>

At a later date in the great revival of the tenth century we are introduced to Dunstan as he goes preaching about the country,<sup>2</sup> and to Oswald as he makes a tour of all the villis entrusted to him at the beginning of his episcopate.<sup>3</sup> The tradition of such visitation must have come to England with the Roman mission, for Gregory himself bears frequent witness to the importance that was attached to it in Italy and the South.<sup>4</sup> It was renewed as, under Theodore, the church acquired a more settled organization; and, like the holding of synods, it became no doubt a regular part of the bishop's duty when circumstances permitted it. The first conciliar enforcement of the practice was, however, due to external influence. Boniface, the great Saxon apostle of Germany, as we have already noted, had seen such rapid fruit of his labours that in his own lifetime his work passed from the missionary stage into the settled stage; and towards the end of his life he was busy not only in fashioning the organization of the new churches but also in restoring the older Frankish churches to a similar state of organized efficiency at the instigation of Carloman. The last of his synods was held in the early part of 747 and he sent its decisions with a letter to Cuthbert, Archbishop of Canterbury, with a modest hope that they might prove valuable to the church of his birth.

Propterea, carissimi,—non quia vestrae prudentiae opus sit rusticitatis nostrae statuta audire vel legere, sed

<sup>1</sup>*Vita*, capp. vi, x, xii. *Ibid.* 249, 255, 259.

<sup>2</sup>Osbern, *Vita Dunstani*, 34: in *Memorials of S. Dunstan* (Rolls Series), p. 109. This is not from the contemporary life written by B, but from a biographer of the eleventh century. But the earlier author has an almost equally significant passage, § 28, *ibid.* p. 40.

<sup>3</sup>From the contemporary life by an anonymous monk of Ramsey. *Hist. of the Ch. of York* (Rolls Series), pp. 420 and f., cp. 462.

<sup>4</sup>See his letters *passim* and above, p. 27, note 2.

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propter bonam et humilem et sanctam voluntatem vestram putamus vos libentius scire velle quam nescire— quae hic sacerdotes nobiscum servanda decreverunt, vobis emendanda et corrigenda destinamus.

With this letter before them the English bishops assembled for their annual synod at Cloveshoo and passed the following as their third canon, taken, in places *verbatim*, from the letter of Boniface.

Ut singulis annis unusquisque episcopus parochiam suam pertransiundo et circumeundo speculandoque visitare non praesideat, populumque diversae conditionis ac sexus per competentia ad se convocet loca, aperteque doceat, utpote eos qui raro audiant verbum dei, prohibens. . . etc.<sup>1</sup>

The prescription for an annual episcopal visitation is repeated in the third of the legatine canons of 787, drawn up by George and Theophylact the legates of Pope Hadrian, and accepted by the bishops, abbots and nobles of the Northern and Southern provinces, together with Ælfwald, King of Northumbria, and Offa, King of Mercia.<sup>2</sup> Thus visitation was more firmly established among the first duties of the bishop; and it is no surprise to find Alcuin writing a few years later to Archbishop Eanbald of York (796) and including among his exhortations the following.

Non cesset lingua tua in praedicando, non pes tuus in circueundo gregem tibi commissum.<sup>3</sup>

But here for the time synodical orders on the subject ceased. Troubles came everywhere, rapine and fighting, the sack of monasteries, the devastation of parishes. A good part of English Christianity went almost into abeyance before the Danish invasion; and only some strong centres in the South could hold out. So the sad ninth century passed: with a new century church life revived, and a sign of the revival is found in the constitutions of Archbishop Oda (c. 943). A

<sup>1</sup>See Haddan and Stubbs, III, 360 and ff. The chronological difficulties are discussed there, but are more satisfactorily dealt with in Hauck, *Kirchengeschichte*, I, 520, and ff, esp. p. 571. The duty of visitation had been emphasized also in previous synods of Boniface.

<sup>2</sup>Haddan and Stubbs, III, 449.

<sup>3</sup>*Ib.* 501.

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bold appeal is made to all classes to carry out their christian duties. Kings, princes, bishops, clergy and monks are dealt with in turn: and among the specified duties of the bishop is his annual circuit of the diocese, preaching and visiting.<sup>1</sup>

### §9

The dioceses were enormous; in the ninth century thirteen covered the Southern province, apart from Wales, and two the area of the present Northern province. In the following century the former number was increased by three, through the establishment of sees for Ramsbury, Wells, Crediton and Cornwall, combined with the absorption of the Elmham see in East Anglia. But still the area to be covered by the bishop in visitation was extensive. It is natural, therefore, to enquire how far any steps were being taken to devolve on others some of the burden of this duty. Abroad in the large dioceses of the Empire the difficulty was being met by the revival of the chorepiscopate: and when that came to an end, hastened to its fall by the false decretals, the practice was further developed of multiplying archdeacons and subdividing the diocese into several archdeaconries.

In England there is comparatively little trace of such procedure. In a document of the early years of the fourteenth century<sup>2</sup> the statement is made that at Canterbury there was no archdeacon till the time of Lanfranc; but that till then there had been, since the days of Archbishop Theodore, an assistant bishop with a see at St Martin's, Canterbury. The former statement is certainly untrue, and it was in the interest of this falsehood that the document was written by the monks of the abbey of St Augustine, about 1313, in the stress of a quarrel with the archdeacon of the

<sup>1</sup>Const. Odae, III, in Hard. vi, i, 589; Wilk. *Conc.* i, 213.

<sup>2</sup>Printed in *Anglia Sacra* (I, 150) from Cotton MS. *Tiberius C.* ix, and more completely by Battely in his edition of Somner, *Antiquities of Canterbury*, Appx. No. xxv, from The Black Book of the Archdeaconry of Canterbury.

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day. The discreditable origin of the document does not inspire confidence in the second statement as to the assistant bishop of the see of St Martin. There is, however, more historical evidence to be quoted in support of this contention than of the other, and it deserves more credence and consideration than it has hitherto received.

A charter is extant of 867<sup>1</sup> in which King Ethelred gives and concedes to his faithful friend the priest Wighelm

unam sedem in loco qui dicitur sancti Martini ecclesia  
mihhi ad elemosynam et unam modicam villulam at  
eandem sedem cum recte pertinet.

The terms do not suggest so much a bishop's "see" as a landowner's "seat"; especially as the grantee has free power to leave to any one at his decease. At the same time there is just enough to suggest some connexion with the tradition about a bishop at St Martin's. The charter is witnessed by the King and Witan (an abbot Ealhheard<sup>2</sup> and a priest Heremod from Wessex<sup>3</sup> being associated with the laymen); and confirmed by a separate group of signatures consisting of the archbishop, the abbot Beornhelm and the general body of the local clergy, twenty-eight in number, among whom there figures

Ego Wighelm presbyter cons' & subscribo.

A slightly later document<sup>4</sup> contains many of the same signatures and again Ego Wighelm presbyter, etc. Another document, however, of the same group,<sup>5</sup> witnessed by a

<sup>1</sup>The original charter at the Brit. Mus. is Cotton MS. *Augustus* 11, 95. See Birch, *Cartul. Saxon*, No. 516.

<sup>2</sup>See Birch *C.S.*, 504, 505, 522.

<sup>3</sup>*Ibid.*, 506, 507. Not the same as Heremod of Canterbury. *Ibid.* 445 and 319, 332, 381.

<sup>4</sup>See Birch, *C.S.* 406. A grant by the Archbishop to his "family" at Canterbury, wrongly endorsed in a later hand with the date 831; for its true date see the next note. The original charter is at Brit. Mus. Stowe, No. 15.

<sup>5</sup>See Birch, *C.S.* 404. A ratification of a layman's title to land at Chart in Kent, but witnessed by a great body of Canterbury clergy. The original charter is at Brit. Mus., MS, *Augustus* 11, 19. There is no date, but editors have placed it close by the above-mentioned charter, because of the similarity of names. The same reasoning should really bring both charters into proximity with the St Martin's grant. Birch, *C.S.*, 516, which has the authentic date 867, and the slightly earlier charter, *Ibid.* 507, rightly dated 863.

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similar body of the Canterbury clergy, has not this signature but instead

Ego Whelm episcopus cons'.

This bishop is otherwise unknown: he can hardly be identified with the Wighelm who witnesses charters between 901 and 909, and is conjecturally assigned to the see of Selsey.<sup>1</sup> It is more reasonable to associate the appearance on the Canterbury stage of Whelm episcopus with the disappearance from it of Wighelm presbyter. Then there arises the question of his *sedes* at St Martin's, and it seems as if there was some justification, after all, for looking upon this as the starting point not merely of the tradition about such a suffragan see, but, in fact, of its actual existence.

Nothing more comes up to support such an idea for many a year. The opportunities for knowing the Canterbury clergy from the signatures of charters, which have been frequent up to this point, cease at this point almost entirely; and there is hardly one opportunity for getting at a name or two in the course of the tenth century.<sup>2</sup> There is a considerable number of bishops who are known by name but who cannot be allotted to the recognized succession of the various sees.<sup>3</sup> Among these there is one who may have a close connexion with Canterbury and who might, therefore, be very hesitatingly suggested as a possible bishop of St Martin's. That is Alla, whose signature stands next after the Archbishop's in a grant of King Athelstan to St Augustine's, Canterbury, of 925.<sup>4</sup> But there is nothing clear until, in the year 1035, we come to the consecration of Eadsige as an assistant bishop to Æthelnoth; and thereupon a somewhat complex case must be presented.

All these four charters are witnessed by groups of Canterbury clergy in which the same names recur; most of the names in 516 occur in either 507, 404 or 406; some in two of the three, some in all three. A close comparison of the list shows that 406 is later than 516 and 404 later than 406. Further use of these lists will be made later on.

<sup>1</sup>Searle, *Anglo-Saxon Bishops*, 56.

<sup>2</sup>A few names may be gleaned from Birch, *C.S.* 638, 641.

<sup>3</sup>See list in Searle, *Anglo-Saxon Bishops and Kings*, 212 and ff.

<sup>4</sup>Birch, *C.S.* 641. Kemble, *Codex Dipl.* 745, 1327, 1323, 1325.

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There are two charters of Canute<sup>1</sup> addressed to "Eadsige bisceop and Ælfstan abbod and Ægelric," during the lifetime of archbishop Æthelnoth, i.e., before November, 1038. From these it is clear that Eadsige was a bishop before he succeeded Æthelnoth in the see of Canterbury. He had previously been the king's priest, and, after serving the king faithfully, he became a monk at Christchurch, Canterbury. This change in his way of life is recorded in the *Liber Evidentiarius* of the abbey, under the date 1038.<sup>2</sup> Further, two Saxon documents bear witness to royal gifts given him. One records how, on his becoming a monk, the king gave back the old monastic estate at Folkestone to Christchurch, Canterbury, subject to Eadsige's life interest in it;<sup>3</sup> the other, how Eadsige the priest had leave, on becoming a monk, to dispose of various estates, and how he did dispose of them, viz., estates at Appledore, at Warehorne, at Berwick, at Orpington, at Palstre and Wittersham, to his monastery.<sup>4</sup> In previous records it is stated that in 1030 Canute gave the estates at Appledore, Palstre and Wittersham to Eadsin bishop of St Martin's in the East of Canterbury: and in 1032 that the same estates were given to Canterbury by Eadsin, presbyter.<sup>5</sup> It is a little difficult to reconcile the dates or the titles given to Eadsige; but there seems no doubt that there lie behind the confusion two facts of present interest, viz., that Eadsige the priest became a monk, and that he was bishop at St Martin's before he succeeded Æthelnoth.

<sup>1</sup>Kemble, *C. D.*, 1323 (transl. in Thorpe, *Dipl.* p. 330) and 1325.

<sup>2</sup>Thorn, *Chron.* in Twysden, *Decem Scr.* 2224.

<sup>3</sup>Kemble, *C. D.* 1327 (transl. in Thorpe, p. 324).

<sup>4</sup>Kemble, *C. D.* 745 (transl. in Thorpe, p. 328).

<sup>5</sup>These records are cited by Somner-Battely. See page 131 for the first, which seems to be a summary of a document as given in a *Liber Evidentiarius*. In the Appendix a *Liber Evidentiarius* is printed (see p. 39 there), but while the second record is found there under date 1032 the earlier one is not. In the similar *Liber Evidentiarius* appended to Thorn (*v.s.*) there is found under date 1035 what is evidently a mistaken version of the earlier record of the two. Instead of reading "Anno 1030 Canutus rex dedit Eadsino episcopo S. Martini quæ ecclesia sita est . . . oriente, Apuldre, Palstre and Witricham ad opus, etc.," it has "Anno 1035 . . . Eadsino archiepiscopo ecclesiam S. Martini quæ sita est . . . oriente et terras Apuldre, etc."

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On Æthelnoth's death in 1038 Eadsige became archbishop; and in 1044 he followed the example of his predecessor in appointing a deputy, in the person of Siward, Abbot of Abingdon.<sup>1</sup> It was probably originally intended that he should have the right of succession as Eadsige himself had had; but four years later Siward retired to Abingdon and shortly afterwards died. Whereupon Eadsige resumed authority till his death in 1050.<sup>2</sup> There is no sign of any connexion of Siward with St Martin's: indeed, he is said to have had the title of bishop of Upsala<sup>3</sup> though it is not clear what evidence there is for this statement. Yet his appointment seems to have followed the precedent of Eadsige, who was connected with St Martin's. Moreover, a few years later the title again appears; for in the *Chronicle*, under the year 1061, there stands the entry

And her forthferde Godwine b' æt S. Martine

And this year died Godwine bishop at St Martin's.

This new name, therefore, must now be added to the series; and the definiteness of this entry does much to establish the more indefinite earlier evidence.<sup>4</sup>

This brings the series down to within ten years of the time of Lanfranc when, according to the Canterbury document, the series was brought to an end. It must be admitted, therefore, that the positive statement which it contains about the bishops, as distinguished from the

<sup>1</sup>See the entries in the *A-S Chronicle*, 1038, And tha feng Eadsige b' to tham arch'rice, etc. 1044. Her Eadsige arceb' forlet thæt bisceoprice for his untrumnyse, and bletsade thæto Siward abb' of Abbandune to bisceope. A curious account follows of the secrecy of this transaction, which was at first arranged only with the King and Earl Godwin.

<sup>2</sup>*A-S. Chronicle*, 1048. Siward b' forlet thæt bisceoprice for his untrumnyse, and for to Abbandune, and Eadsige arceb' feng eft to tham bisceoprice. And he forthferde thæs binnan viii wucan on x kl. Nouembris.

The Abingdon Chronicle confuses this Siward with a namesake who became bishop of Rochester in 1058; see *A-S. Chron.* and Florence of Worcester.

<sup>3</sup>Stubbs, *Episcopal Succ. (Registr. Sacr.)*, pp. 20, 142 in the edition of 1858 (but not in the later edition of 1897). Battely, p. 132. A Siward is given as bishop of Upsala 1141-1152 in Gams, *Series Episc.*, but this rather invalidates than confirms the statement.

<sup>4</sup>He is further mentioned as witness to a grant made to St Augustine's by Ægelric Bigga 1050-1054 (see Kemble, *C. D.* 1338).



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negative statement about the archdeacons, has some considerable measure of support. It is less easy to estimate what was the character of such an episcopal position. The alleged appointment of Wighelm in the closing period of the long rule of Archbishop Ceolnoth would coincide with a condition of things likely enough to create the need of a deputy. The archbishop (833-870) was probably old as he had been primate for thirty years: Kent had ceased since 823 to be a separate kingdom and become a sub-kingdom of Wessex, with the result that in secular matters the archbishop was increasingly drawn away from Canterbury and Kent elsewhere.

When the matter again comes into a clearer light in the eleventh century, it seems as though the appointment is rather that of a coadjutor *cum jure successionis*, necessitated by incapacity, than a traditional and normal expedient for providing for the effective supervision and visitation of the diocese. Siward witnesses several charters as archbishop, but one as bishop.<sup>1</sup> He was apparently, therefore, for the time regarded not as an assistant but as the principal. Yet Florence of Worcester in recording his death (under 1049) calls him *chorepiscopus* of Eadsige; and this description, given by one who wrote half a century after the event, corresponds with what might be expected from the contemporary notice of bishop Godwine.<sup>2</sup>

The whole question is intricate. It does not contribute much, it is true, to the elucidation of the question of episcopal visitation; but it lies sufficiently near to the subject to call for such discussion as is possible in view of the small amount of evidence available.

<sup>1</sup>See Kemble, *C. D.*, 776, 780, 781, as archbishop: as bishop only 778; all of the year 1045. As archbishop again *ibid.* 1335 of 1046. A namesake, an abbot, witnesses also some of the above, and the existence of two of the same name makes doubtful to whom the signature belongs in earlier documents than 1045, before the bishop's consecration, 746, 761-3, 767, 774, 1332. In 770 both appear.

<sup>2</sup>In Ireland the chorepiscopate only vanished slowly in consequence of a Legatine Constitution, made in 1152. (Wilk. i. 547.)

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### §10

Not much more remunerative but equally inevitable is some discussion of the question of the archdeaconry. The beginnings of it were certainly earlier than the days of Lanfranc, for in 803 Wulfred, Archdeacon, signs the Acts of the Council of Cloveshoo, among the clergy of Canterbury.<sup>1</sup> Two years later he became archbishop. There is no further evidence of any archdeacon till Kynehard witnesses a charter<sup>2</sup> as archdeacon in the closing years of Wulfred, *c.* 830. He is probably the man who is mentioned as a deacon in an earlier grant, of uncertain date, made by the Archbishop.<sup>3</sup> It seems, therefore, that he did not become archdeacon at once when Wulfred left that post to become archbishop; and probably, as yet, there was no continuous series of archdeacons.<sup>4</sup> After these appearances of Kynehard there is again no trace of an archdeacon among the various lists of Canterbury clergy till 859, when a Kentish charter reveals the name of "Dunincg archidiaconus."<sup>5</sup>

Then, from a group of four charters,<sup>6</sup> belonging to the years 863-870, there is revealed a whole group of archdeacons, as surprising now in their multitude as they previous-

<sup>1</sup>The Acts are given in Birch, *C.S.* 312, or in Haddan and Stubbs, *Councils*, III, 545. Wulfred also witnesses another charter as Archdeacon in 805. See Birch, *C.S.* 319, or Haddan and Stubbs, III, 555. His name has also been unwarrantably added to another document which is a misdated and mistaken variant of the Acts of Cloveshoo (Birch, *C.S.* 290, H. and S., III, 518), the so-called Council of Baccancelde of 798.

<sup>2</sup>Birch, *C.S.* 396.

<sup>3</sup>Birch, *C.S.* 380. The grant is signed by Wulfred and was subsequently attested by his successor, Ceolnoth, and other clergy of Canterbury, *c.* 835.

<sup>4</sup>No archdeacon figures in the lists of Canterbury clergy in the interval (Birch, *C. S.* 332, 342, 380, 381), nor are archdeacons mentioned among the classes of clergy at the Council of Chalkhythe in 816. *Ibid.* 358. H. and S., III, 579.

<sup>5</sup>Birch, *C.S.* 497. For Canterbury lists during the interval see *ibid.*, 405, 412, 417, 419, 421, 426, 442, 445. In 442 Wealhere, who is really a subdeacon, is in one list by mistake given as an archdeacon.

<sup>6</sup>Birch, *C.S.* 507, 516, 406, 404. The group has already come under consideration in connexion with the see at St Martin's. See above, p. 36 and note.

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ly were for their rarity.<sup>1</sup> In the earliest of the four charters there are four archdeacons attesting, Biarnheah, Osulf, Ealhstan<sup>2</sup> and Sigefred. The first and the last of these figure also in all the other charters of this group.<sup>3</sup> Ealhstan is given again in the latest, but not in the two intervening ones.<sup>4</sup> Osulf appears again in the third charter. There a new archdeacon figures with the constant two, viz., Herefred, who seems to take the place of Osulf; while in the latest document of the group Wynhelm makes the fourth.<sup>5</sup>

Thus, at the same period when the first signs appear of an assistant bishop there emerges also a set, apparently, of four Canterbury archdeacons, or perhaps more.<sup>6</sup> After Ceolnoth's death in 870 there is no further trace of them; but, since from this point onward there is little evidence available about Canterbury clergy, that negative evidence is not strong. The centre of gravity, so far as extant charters are concerned, moved away from Kent: and other causes lead to a lack of knowledge of such names throughout the tenth century.<sup>7</sup>

<sup>1</sup> It is possible that these were archdeacons of clerical establishments formed on the model of Chrodegang's *Regula*: for this, in its earlier form, set an archdeacon at the head of each establishment. See the Rule in *P.L.* LXXXIX, and also Schröder, *op. cit.*

<sup>2</sup> Ealhstan is not so described here, but he is so described elsewhere, and the position of his name among the archdeacons makes his identity clear.

<sup>3</sup> Assuming that the Biarnheah of Birch, C.S. No. 507, the Beornheah of 406, the Biarnnod of 404 and the Bearnod of 516 are the same man.

<sup>4</sup> In No. 406 Sigefrid's name is given twice.

Biarnheah	507	516	406	404	Sigefred	507	516	406	404
Osulf	507		406		Herefred		516	406	
Ealhstan	507			404	Wynhelm				404

<sup>5</sup> It is noticeable that in three of these charters the names follow in seniority: the archbishop, abbots, priests, archdeacons, deacons, subdeacons; but in No. 404 there is a grouping which may be significant. The archbishop is followed by the bishop of Dunwich and bishop Wighelm of St Martin's, then five priests; then an abbot Ethelmund and two priests; then abbot Eadgar, two priests, three archdeacons, followed by four crosses without names; (the two archdeacons Ealhstan and Biarnnod are misplaced by Birch); then three subdeacons (for Cialbarht, miswritten, cp. No. 516) and a thegn: finally, abbot Biarnhelm, two priests, an archdeacon, Wynhelm, and two witnesses, the last three being otherwise unknown (unless Wynhelm is the priest of Birch, C.S., 539 and 638).

<sup>7</sup> It is difficult to account for some of the archdeacons noted by Somner in his *Antiquities of Canterbury*, ed. Battely, p. 151. His list, taken from two

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But before the end of the ninth century the name of one further Kentish archdeacon can be recovered. It is Ciolmund, who doubtless belonged to Rochester, since he figures in a charter relating to that see—a grant of bishop Swithulf of 889—and among clergy who are not of the Canterbury family.<sup>1</sup> He is probably to be identified with Swithulf's successor and perhaps with a thegn of earlier days who attests a number of Kentish documents.<sup>2</sup>

In the dearth of Kentish information it is not surprising to find no further evidence of archdeacons there for a century and more. But it is a surprise to find no trace of them elsewhere, in places where, from the existence of a group of charters, evidence as to the clergy is forthcoming. This is particularly the case in the diocese of Worcester in the second half of the ninth century, and of Winchester in the century following. A group of eleven charters<sup>3</sup> of the bishopric of Worcester, between 849 and 907, provides a list of over thirty clergy, whose names recur in more or less degree at the foot of the different documents. Two bishops are concerned, Eahlhan (c. 849–872) and Wærfrith (873–915); two men holding the title of *præpositus*, probably forerunners of the later priors of the monastery of Worcester; an abbot, Kynehelm of Evesham; a number of priests and deacons: but there are no signs of an archdeacon.<sup>4</sup> The same is the case with the list of Winchester clergy that may be compiled from the numerous charters of Eadward in the

Saxon MSS in Christchurch, Canterbury, is as follows: Anno 844 Beornoth, 853 Æthelweald, 864 Eahlstan, 866 Sigefreth, *Eod.* Liaving, 890 Werbeald. From these same MSS he took the name of Wulfred, occurring in the Acts of Cloveshoo, and in a Codicil or Libel dated *Anno* 805. After Werbeald he has no name till Ælmaer in 1011 (see below). He notes that Beornoth in subscribing to a charter of King Ethelred signs before divers dukes (*ibid.* p. 152). The charter to which he here refers, then, is apparently one not now extant, and it seems that 507 is the only one extant to which he refers. If (as is possible) his Liaving is the person mentioned in the boundaries of Birch, C.S. 518 of 868, then he probably is of Rochester.

<sup>1</sup>Birch, C.S., 562 of 889.

<sup>2</sup>*Ibid.* 467, 502, 539, 558.

<sup>3</sup>Birch, C.S. 455, 490, 533 and 4, 559, 560, 570, 575, 580, 608, 609, 616.

<sup>4</sup>See however below, p. 50.

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first decade of the tenth century.<sup>1</sup> It is a full list of nearly fifty clergy, including the abbot and monks of Newminster as well as the deacons and priests of the cathedral establishment. There is no sign of any archdeacon; Frithustan, who became bishop in 909, is merely a deacon with the rest in the list up to the eve of his consecration.

It seems inevitable to conclude that at this period, in these two places at any rate, the office of archdeacon was unknown. No similar evidence for other cathedral centres is available: after 909 the charters extant are almost exclusively attested in the Witan and bear the names only of laity and bishops. Even the names of abbots lessen and disappear<sup>2</sup> for a while, until the signs of the Benedictine revival under Dunstan appear<sup>3</sup> in 949. When the abbots return they take their place with the bishops; and the names of lesser clergy are still wanting as a rule. There is, however, some exception.<sup>4</sup> Information is again to be had from Worcester as to the clergy of the bishop's own circle, in a series of charters ranging between 962 and 977.<sup>5</sup> But here again among all the forty clergy there is no trace of an archdeacon.<sup>6</sup>

Nor is any evidence of such an officer forthcoming from other sources than the signatures of charters. Literature is equally silent on the subject. Bede mentions none, nor does the northern *Chronicle*, by means of which Simeon of Durham carried on his history from the point where Bede ceased (731) to the end of the century.<sup>7</sup> Equally silent is Eddi in his life of Wilfred.

For the ninth century there are no original literary

<sup>1</sup>*Ibid.* 594, 596-9, 601, 602, 604, 612, 613, 617, 622-5, 627, 628.

<sup>2</sup>After Birch, C.S. 702; but there is one abbot in 740.

<sup>3</sup>*Ibid.* 880, neglecting 872 as questionable.

<sup>4</sup>A priest, *ibid.* 873; a monk in 883, 909, 911; two deacons in 917.

<sup>5</sup>Birch, C.S. 1086-1090, 1105, 1106, 1108-1111, 1139, 1166, 1180-2, 1184, 1202-7, 1232, 1235-9, 1241, 1242, 1299.

<sup>6</sup>It is significant, indeed, that the only two names of an archdeacon to be found in the charters should be (1) in a spurious charter, No. 1179, and (2) in a foreign charter, No. 661.

<sup>7</sup>When Alwih, bishop of Lindisfarne, died his successor is described as "Aldulf his deacon," anno 750.

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authorities except the *Chronicle* and Asser *De Rebus Gestis Ælfredi*, and in these there is no trace of an archdeacon. The Kentish archdeacons who have been rescued from the charters probably stood alone. It is significant that while Archbishop Æthelheard brought Wulfred with him as archdeacon to the Council of Cloveshoo in 803, no other bishop seems to have had such an officer in his train; at later Councils there is none at all, nor are archdeacons named among the grades of clergy contemplated in various documents of this period.

In the tenth century it would be natural to expect to find some trace of an archdeacon in the important lives of Dunstan and Oswald, which are among the most valuable pieces of first-hand evidence; but there is none. Only after the beginning of the eleventh century is there once again question of another archdeacon of Canterbury. At the siege by the Danes in 1011 the city was betrayed by a man named Ælmær; its capture resulted in horrible excesses, culminating in the martyrdom of St Alphege. The traitor is described by the *Chronicle* as Ælmær whose life Ælfeah (Alphege) had saved. And the account goes on to describe how, when the archbishop and others were seized, "abbot Ælfmer" was let go free. Florence of Worcester in his later account adds to the *Chronicle* by describing Ælmær as archdeacon, and by more fully designating the second Ælmær as abbot of St Augustine's. It is hardly likely that there were two; Ælmær the abbot is known, and his immunity was no doubt the reward of his treachery; but when this conclusion becomes clear the archdeacon becomes mythical.<sup>1</sup>

There is however other evidence that St Alphege had an archdeacon: he was Brinstan by name, and is found in a necrology of St Augustine's, with a note that he was buried in the North Chapel of the church at Thanet.<sup>2</sup> No successor is known till the eve of the Norman Conquest, when Haymo, archdeacon of Canterbury, makes for himself a modest place

<sup>1</sup>Freeman maintains the distinction between the two Ælfmers and quotes the favour with which the abbot was regarded subsequently as a sign that he was not the traitor. *Norman Conq.*, I, 661 (note PP).

<sup>2</sup>Leland, *Collect.* IV. 7 (Ed. 1770).

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in the literary world. He is said to have fled from England to France during the Danish wars, but to have returned later, become archdeacon of Canterbury, and died in 1054. The list of works attributed to him is largely made up of the works of his more celebrated namesake, Haymo of Halberstadt; and it is not clear that anything remains for him when the works wrongly attributed to him are struck off the list. As archdeacon he is an even more shadowy person than as commentator.

The scarcity of archdeacons is borne out by the scant notice of them in the existing legislation of Anglo-Saxon days. In only two places is there mention of them. The first of these is not very significant, for it is only the citation of a canon of a foreign council among the *Excerptiones* attributed to Archbishop Egbert of York (734-66), but really of later date. The canon comes from the Council of Orleans (c. 549), and provides for the care of those who have been committed to prison by the archdeacon or *præpositus ecclesiæ*.<sup>1</sup> The second source is later and of more importance. Among the sixty-seven sections of the *Laws of the Northumbrian Priests*, which belong, probably, to the second quarter of the eleventh century, are two, Nos 6 and 7,<sup>2</sup> which prescribe a penalty for disobedience to the archdeacon's orders.

6. Gif preost arcediacones geban forbuge, gilde xij or.

7. Gif preost scyldig si, and he, ofer arcediacones gebod, mæssige, gilde xij or.

There is no confirmatory evidence to this, which belongs to the northern province. This is not to be expected from charters, since none are forthcoming from the North, and the history from the ninth century onwards is obscure. Curiously enough, there is one piece of evidence of an early archdeacon that comes from the North, viz., a leaden bulla

<sup>1</sup>Canon 20. See Bruns, II, 214. The Latin is as ambiguous as the account of it given above, as to whether the archdeacon imprisons or takes care of the prisoner. See *Excerpt. Ecgberti* in Thorpe, *Ancient Laws and Inst.* (1840) 335.

<sup>2</sup>*Ibid.* 416. Liebermann, *Gesetze der Angelsachsen*, I, 380. The Editor (i. p. ix) dates the code 1028-1060.

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found at Whitby and bearing the legend "Bonifatii Archidiaconus."<sup>1</sup> There can be little doubt that this object came from Boniface, the Archdeacon of Rome, who befriended Wilfrid in 654; so, interesting though it is, it has no bearing on the present point. There is, therefore, little evidence for the existence, and still less to shew what were the functions, of an English archdeacon in days previous to the Conquest. The little evidence that there is here points to his exercise of judicial functions rather than to his sharing the bishop's responsibility, as yet, for visitation in the diocese.

### §II

The backward, and even irregular, position of the English Church in this respect need occasion no surprise. It is all of a piece with its position in other respects. The Danish wars had put an end to the old efficiency, and, in regard to the general organization of the church, it had never been recovered since. The great movement of Dunstan, Ethelwold, and Oswald in the tenth century had been confined to the recovery of monasticism, and such reform among the secular clergy as that brought with it. In other respects, the English Church had not as yet felt the effect of the Carolingian revival. In such matters as the relation of the Church to the State, of the ecclesiastical law to the civil law, and of the Church as a whole to the Papacy, it remained insular and peculiar. It is, therefore, quite natural to find that in the matter of organization it was in a backwater. It was only in the reign of Edward the Confessor that this state of things began to alter under the influence of foreign trained clergy such as Leofric, or foreign born clergy such as Gisa, whom the King introduced. And it is very natural that just at that moment an archdeacon should once again appear upon the scene at Canterbury.

With the Conquest the whole face of the question changed. The Normans, far from being in a backwater, were in the

<sup>1</sup>It is figured in the *Yorks. Arch. and Top. Journal* (1874), III, p. 371.



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full flood of a religious revival. After the period of dismay and heathenism that the coming of the Northmen inaugurated in Normandy there followed a period of great development, even more marked in some respects than the parallel developments that were going on in the rest of Europe. The Cluniac monks had brought about a great monastic revival, which profoundly affected the Church as a whole. But, further than that, the first half of the eleventh century had witnessed a revival of learning in the new Norman centres, and a vigorous movement for church reform and church extension which involved the polishing up of the old machinery and the supplementing of the old by fresh and new. The recovery of the episcopate, in places where it had gone under during the days of the heathen incursions of the Northmen, had led on to the organizing of synods, the foundation of cathedral chapters, the establishment of archdeacons and rural deans, and the like,—in fact, to the very things which we are noticing as deficient in England. When, then, the conquerors came, they came not merely as better equipped churchmen, but as churchmen whose equipment had for them a good deal of the fascination of novelty. It was natural, therefore, that one of the chief effects of their advent upon the English Church was the levelling up of the organization to the pitch that had been reached on the Continent. Various features of this change come into question here.

First, there is made a clearer definition of provinces and dioceses, together with the well-known transference of several bishops' sees from small to large centres. This change, which had already begun under Edward's foreign bishops, had, no doubt, its indirect value in the matter of visitation, for it provided a better diocesan centre and made the supervision of the diocese, as well as the organization of the cathedral church, far more efficient. Lincoln was a better centre for visitation than Dorchester, Chichester than Selsey, Salisbury than Ramsbury or Sherborne.

Second, the routine of regular councils and synods was re-established. Ecclesiastical councils were separated from the general councils of the realm, which carried on the tradition

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of the Saxon Witan; but they were held in proximity to them two or three times a year. When the country began to recover peace and orderly government, these gatherings were reinstituted, and continued from the legatine synods of 1070 onwards; and by their means many points of ecclesiastical organization were recovered or inaugurated under the guidance of Archbishop Lanfranc (1070–1089). Diocesan synods were held once a year, to carry down effectively into the diocesan sphere of activity the decisions of the episcopal councils.<sup>1</sup>

The diocesan synod is closely allied to the episcopal visitation. The two in their origin were complementary: at the former the clergy gathered to meet their bishop, at the latter the bishop went round the diocese to interview his clergy. But a tendency displayed itself for the two to coalesce; the bishop, unwilling or unable to make the tour of his diocese, began to use the synod as his visitation, i.e. to make it a time for review and inquiry as well as for consultation and the promulgation of orders. This change had already begun abroad. If it had not come about in England, it was only because synods themselves had ceased to be held.<sup>2</sup> The bishops of the early Norman period seem, however, to have been zealous about their synods. An interesting insight into one of them may be had from the Acts of Wulfstan's Synod at Worcester in 1092. It consisted of "all the wisest" from the three counties of the diocese. The main business was to settle a dispute between two churches of the city, and to define the relation of these churches to the mother church.<sup>3</sup> It is of further interest here, because the inquiries made then revealed that St Helen's church,

<sup>1</sup>See Canon 4 of the first set and Canon 13 of the second set ascribed to the Council of Winchester in 1076 (Hard. vi, i, 1560; Wilk. i, 365). But note that the second set of sixteen canons probably belongs to the legatine council of 1070, and the set of thirteen printed before it to the Council of Winchester in 1072 (Böhmer, *Kirche und Staat in England und in der Normandie*, pp. 63, 64). Note also that the earlier legislation prescribes one synod a year and the later two.

<sup>2</sup>See the Council of London, 1075, in Hard. vi, i, 1555, and cp. W. Malmesbury, *De Gestis Pont.* i, P.L. clxxix, 1475.

<sup>3</sup>*Angl. Sac.* i, 542.

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being a vicarage subject to the cathedral, had obtained from the bishop, St Oswald, the right of exemption from the authority of dean and archdeacon in 972, when the cathedral became monastic; the prior was to have the rights of a dean over all the churches subject to the cathedral monastery. No document of the period is cited: so it is not clear whether the language used is really contemporary with the exemption, or is a description of it in the terms of the eleventh century. Other acts of a diocesan synod are rare. Indeed, these have probably only survived because of this exceptional piece of business. On ordinary occasions when the bishop met his clergy, either in visitation or in synod or on an occasion which combined both, there was, no doubt, as a rule, little if anything but formal and routine business to be done.

A further development of this tendency led to the visitatorial power of the archdeacon being developed. In order to clear the way for this, the remaining bit of the chorepiscopate had to be abolished. It was probably for this reason that Lanfranc brought the series of bishops at St Martin's to an end.<sup>1</sup> He was doing in his own diocese what had already been done abroad: and here as there when the *chorepiscopus* fell the archdeacon rose.

### §12

The signs of his importance are soon evident in the new system. In 1075 at the great Council of London *Anschitillus Archidiaconus sanctae Dorobernensis ecclesiae* signs the acts immediately after the bishops and before the abbots.<sup>2</sup> A somewhat ambiguous note derived from the Council of Winchester

<sup>1</sup>Lanfranc's biographer gives as the reason the canonical rule that there should not be two bishops simultaneously in one city. See the *Vita* by Milo Crispinus of Bec almost contemporary, xiii, 32; *P.L.* cl, 55. A different reason is given from the point of view of Rochester in *Angl. Sac.* i, 390, viz., that the archbishop was anxious to provide himself with a more worthy deputy in the person of the bishop of that see, Gundulf.

<sup>2</sup>Hard. vi, i, 1557.

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seems to show that an order had been issued three years previously (1072) for the appointment of archdeacons where hitherto there had been none.<sup>1</sup> Even if all along there had been more archdeacons in England than the scanty evidence seems to indicate, it is clear that their number was now increased: for the foreign plan of dividing a diocese into several archdeaconries now came into vogue, with the special object of providing small areas in which visitation could be effective. At Canterbury, indeed, in spite of the early precedent of the ninth century already recounted, there was but one archdeacon and his duty was to the whole diocese.<sup>2</sup> But elsewhere this was unusual, and became increasingly so. Only at Canterbury, Rochester, Llandaff,<sup>3</sup> St Asaph and Durham was the old custom of a single archdeacon to a diocese preserved: it was established in the two new dioceses of the twelfth century, Ely (1108) and Carlisle (1132), and in them it continued. But elsewhere, starting at this point in the end of the eleventh century, the dioceses were subdivided into several archdeaconries, following for the most part the civil divisions: and they remained so until further subdivision and rearrangement came at the Reformation.

In the newly erected cathedrals the process can be clearly seen. Among the earliest was that of Lincoln, whither Remigius transferred his see from Dorchester in 1072-3.<sup>4</sup> Here provision was made to divide the vast diocese into seven archdeaconries;<sup>5</sup> and so it continued till another, that of Stow, was added in the thirteenth century.

Salisbury was a sister foundation,<sup>6</sup> and owing to the pre-

<sup>1</sup>Canon 5: Ut episcopi archidiaconos et ceteros sacri ordinis ministros in ecclesiis suis ordinent. Hard. vi, i, 1560, and see note above for its date.

<sup>2</sup>Except for a short five years at the end of the twelfth century, when the experiment of three archdeaconries was made and abandoned. See R. de Diceto, *Ymagines Hist.* i, 403, (R.S.) and Makower, *Constit. Hist.* 317.

<sup>3</sup>The summons to the Bishop of Llandaff with his archdeacons cited by Makower *u.s.* must have been a general formula, suited to most other dioceses, but not to Llandaff (H. and S. i, 317).

<sup>4</sup>See Böhmer, 90.

<sup>5</sup>Henry of Huntingdon gives the details, and the succession in each post down to his own time (*Epist. ad Walterum* in *Angl. Sac.* ii, 695).

<sup>6</sup>The bishop signs with his new title at the Council of London in 1075, and the change is there ordered.

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servation of the documents of Osmund's original constitution the details are again forthcoming. Here four archdeacons rank in the chapter after the four principal persons.<sup>1</sup> The third church of this group, not a new foundation but a re-establishment, is at York, where the new archbishop, Thomas, reconstructed his chapter, first on the lines of regular canons, and then on similar lines to those of Lincoln and Salisbury, formed on the Continental model. Here the diocese was divided ultimately into five archdeaconries.<sup>2</sup> Elsewhere the appointment of archdeacons went on in some degree, if not so prolifically. As a rule two, or at most three, archdeaconries sufficed, though London, Lichfield, Exeter and St Davids all rose to the number four. The four London archdeacons are found at the beginning of the twelfth century,<sup>3</sup> and it is probably safe to suppose that by then the changes had been made throughout the dioceses.

With this increase in the number of archdeacons there went an increase in their authority; and, in particular, a growth of their duty of visitation. They had begun by being the bishop's executive and legal officers, and it thus fell to them to make the arrangements for visitations. In Normandy this had been usual even in the ninth century; for the Council of Rouen in 879 prescribed the procedure in its 16th Canon thus:

Cum episcopus suam dioecesim circuit, archidiaconus vel archipresbyter eum praeire debet uno aut duobus diebus per parochias quas visitaturus est: et plebe convocata annunciare debet proprii pastoris adventum:

<sup>1</sup>The *Institutio* is in Frere, *Use of Sarum*, 1, and also the foundation charter. For Lincoln there is only the charter of 1090, and this gives no information as to the officers (Bradshaw and Wordsworth, *Linc. Cath. Stat.* II, i). The two original Sarum documents of 1091 do not give the number of archdeacons, but the *Institutio* orders that two of the number are always to be in residence at the cathedral.

<sup>2</sup>See Hugh the Chanter's *History*, written in the first half of the twelfth century; Raine, *Historians of York* (R.S.), II, 108. Archidiaconos quoque sapientes et industrios per dioecesim divisit. The number of archdeaconries is not stated, but two at least go back to the eleventh century and three more at least to the twelfth. See Hardy—Le Neve, *Fasti*. iii, 131 and ff.

<sup>3</sup>Newcourt, *Repert*, I, 70.

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et ut omnes, exceptis infirmis, ad eius synodum die denominata impraetermisse occurrant.

The archdeacon is then to enjoin the observance of the canons, and deal with any smaller matters concerning the priests of the place, so as to spare the bishop unnecessary labour.

### §13

The Norman bishops in England seem to have followed this tradition, and to have been zealous as a rule about some degree of visitation. It is noted of Lanfranc that he was not often able to devote himself to the dedication of churches and the confirmation of groups of children, both of these prominent duties of a visitation tour. The fact is not surprising, considering the mass of business that rested upon his shoulders, and the burden that lay upon him, even more than on the other bishops, of attending upon the Court, which was constantly over seas on the Continent. But it is at the same time emphasized that he had Gundulf at Rochester to act as his deputy in these respects.<sup>1</sup> Of Ralph bishop of Chichester we are told that he visited his diocese three times every year, preaching as he went, and exacting nothing of his lawful procurations, but only taking such as were freely given to him.<sup>2</sup>

The clearest picture, however, that is to be made of an episcopal visitation of the time is not of a Norman but of an Englishman, the revered Wulfstan of Worcester, whom the new hierarchy found far too saintly and far too efficient to be deposed with the rest of the English bishops. William of Malmesbury, in writing his life, twice reverts to his diligence in this duty. His method seems to have been that of the Rouen canon already quoted:

Per totum enim episcopatum, praecedente archidia-

<sup>1</sup>*Vita Gundulfi*, in *P.L.* CLIX, 826.

<sup>2</sup>W. Malmesbury, *De Gest. Pont.* Bk. III, sub fine, *P.L.* CLXXIX, 1551.

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conorum admonitione, tantum vulgus eius se infundebat occursui, ut nequiret numerari.<sup>1</sup>

In the pages of that *Life* we can follow him as he went up and down, singing psalms on his way; entering into every church that lay on the road to pray there; sending a priest and a cross-bearer to sprinkle with holy water the houses that he passed; and, at every consecration of the numerous new churches, that grew up throughout the diocese at his own expense or through his instigation, drawing a great crowd to hear his preaching and to receive his alms and his blessing. Because of his diligence and popularity in these journeys Lanfranc entrusted to him the visitation of the vacant diocese of Chester.

Less attractive is the one sight that we get of an early Norman archdeacon on his visitation. It is from a letter of Lanfranc<sup>2</sup> to Stigand, bishop first of Selsey and then of Chichester. The archbishop had ordered the clergy on estates of his, that lay in the area of the diocese of Chichester, to attend the synods of that diocese, although up till then they had been exempt from doing so, as being the archbishop's men. The archdeacons had taken the opportunity to demand fees of them, though the payment of procurations was not at all involved in the archbishop's direction to them to attend. Lanfranc not only repudiated such a liability, but ordered the archdeacons to refund the money that had been paid. At the same time also he withdrew his direction to these clergy to attend in the future, only arranging that, no doubt for convenience' sake, they should get their chrism from the bishop of Chichester, and pay the fees that were customary for this. This question of the procurations continued ever to be a great source of grievances, and many conciliar attempts were made from time to time to restrain abuses.

There was growing up now, as the visitation of the archdeacon more and more took its place side by side with that of the bishop, a differentiation in the object and method of the two sorts of visitation. The bishop tended to confine himself to the performance of such functions as

<sup>1</sup>*Vita*, III, 10; cp. I, 15.

<sup>2</sup>*Epist.* xxvii in *P.L.* cl, 529, from Eadmer *Hist. Nov.* (R.S. p. 21).

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required a minister in episcopal orders, such as confirmation, or the consecration of churches. Similarly he went less frequently on tour, and required that any business that could be brought to him at the centre, such as the consecration of portable altars, should be so brought, in order to save him from the travelling. We notice, therefore, a growing custom that the archdeacon should travel round the diocese and do the parts of visitation that specially concerned him, while the bishop stayed for the most part at home and only went round the diocese visiting and confirming once in three or seven years.

The development of this arrangement is more easily to be demonstrated on Norman than on English soil: concurrently with the establishment in England of the full archidiaconal system the Council of Lillebonne in 1080 prescribed yearly visitations by the archdeacon:

Archidiaconi per archidiaconatus suos semel in anno presbyterorum suffraganeorum suorum vestimenta et calices et libros videant, designatis ab episcopo in unoquoque diaconatu solummodo tribus locis ubi vicini presbyteri ad haec monstranda convocentur.<sup>1</sup>

Provision follows for their entertainment, when they come; and in fact the method is settled that has prevailed in varying degrees down to the present day. No doubt this procedure was speedily transplanted to English ground. There is no such good evidence to be found in English Councils of this date, but this absence of evidence may be easily explained.

It is probable that with the institution everywhere of archdeacons there went also the general establishment of deans, rural and otherwise, to preside over minor subdivisions of the archdeaconry, and to assist the archdeacon in his various functions. In the later Saxon time the term dean had belonged to monastic officers or a similar official in a collegiate church<sup>2</sup>; there is little evidence in the Anglo-Saxon laws

<sup>1</sup>Hard. vi, i, 1599.

<sup>2</sup>See the deans mentioned among the monks of Newminster at Winchester in the *Liber Vitæ* (ed. by Birch for the Hampshire Record Soc.), 25, 31, 32. A similar officer was found at Canterbury, Glastonbury, Worcester and elsewhere. See Somner-Battely, II, 3; Searle, *Christchurch, Canterbury* (in



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of the existence before the conquest of deans presiding over a group of parishes,<sup>1</sup> though this piece of organization was a well-established one in Normandy<sup>2</sup> and elsewhere on the Continent. But they were necessary to complete the organization of the diocese; and they begin to come into prominence at the end of the eleventh century.<sup>3</sup> Apparently as the territory of the archdeacon was in many cases made to coincide with the Shire, so the sphere of the dean was made coterminous with the Hundred.

### §14

The machinery of visitation was thus complete, though it took some time and trouble to get it into working order. The archdeacons soon began to presume and take upon themselves more than they were justified in assuming, and disputes between them and their bishops were not uncommon during a time of change in which the due relation between the two was being practically worked out. Some usurpations of authority by the archdeacons were so serious and the battle on them so hotly contested that Rome had to be invoked to adjudicate. Traces of these struggles are to be found in the first of the collection of decretals that were subsequently the basis of the *Decretale* appended to Gratian's *Concordantia*, Camb. Antiq. Soc. Publ.) xxxiv, pp. 15 and ff. At Durham there was a dean when the cathedral was served by clerks under Walcher, before the introduction of monks by William of St Carilef in 1080. See Florence of Worc. anno 1070, and Simeon of Durham, *Hist. Dunelm. Eccl.* lxii.

<sup>1</sup>The mention in the *Leges Edw. Conf.*, § xxvii, is textually suspect (Thorpe, *Ant. Laws and Inst.* p. 196), and the collection belongs to the twelfth, not the eleventh century. See Makower, *Const. Hist.* 322.

<sup>2</sup>The establishment of deans *in civitatibus et in vicis publicis* is decreed in the 15th Canon of Rouen of 878. They are to encourage the slack to worship, and to be impartial disciplinarians. Hard. vi, i, 207.

<sup>3</sup>See the mention in Wulfstan's synod cited above; also in the Privileges of York (Raine, *Hist. of the Ch. of Y.* (R.S.), iii, 17), which Böhmer dates 1083-5 (see p. 91, note 2) in contradistinction to Raine, who thinks the document spurious and marks it "1090?" More clear is Canon 8 of the Council of London, 1108 (Hard. vi, ii, 1889).

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viz., the so-called appendix to the Lateran Council of 1179. This collection gives throughout special prominence to decisions about English affairs, so much so that it is supposed that it was compiled by an Englishman.<sup>1</sup> Here there is a section devoted to the quarrels between bishops and archdeacons<sup>2</sup> and it contains four decisions of Alexander III on English cases, with a fifth from the diocese of Bourges. The first three deal with irregularities as regards institutions to benefices, the fourth with a question of exempt jurisdiction. In the first two the archdeacon is encroaching on the bishop's functions, in the last the bishop is diminishing the area of the archdeacon's authority.

The former difficulty is due to the gradual growth which was now taking place of a right in the archdeacon to a jurisdiction of his own and not merely to a delegated jurisdiction from the bishop. It was natural that, as business was more completely and permanently left to him by the bishop, much of it should become his business, and cease to be the bishop's business. Thus, in several respects, and among them in the matter of visitation, the archdeacon acquired a duty and right of his own apart from his diocesan.

The same was the case with regard to his judicial functions, which now became more clear and more distinct from the legal business incidental to a visitation. This point, too, was first developed abroad. As the archdeacon went his circuit, he not only interviewed his rural deans and clergy, and saw that the ornaments and fabric of the church were in order; he also became the person to whom moral offences were detected. From the beginning he had had this supervision of clerical morals in his charge; but it was a large addition to his responsibility when the task of correcting and amending the morals of the laity, which the bishop undertook in his visitation, was entrusted with the rest to the archdeacon as his representative. It was a natural transition, for the archdeacon stood at the bishop's side in the administration of all the greater acts of discipline to the penitents, and notably played an im-

<sup>1</sup>Laurin, *Introd. in Corpus Juris Can.* p. 92.

<sup>2</sup>Pars, xxiv. See Hard. vi, ii, 1798. De excessibus episcoporum contra suos archidiaconos et archidiaconorum contra suos episcopos.

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portant part in the service of the Reconciliation of penitents on Maundy Thursday. It had come about abroad in the eighth or ninth century, and in Carolingian times the archdeacon had the support of the secular ruler.<sup>1</sup> In Anglo-Saxon England a similar comity or co-operation prevailed between ecclesiastical and civil; and this, no doubt, affected the archdeacon's jurisdiction so far as it existed before the Conquest. That state of things had passed away abroad since the Carolingian times, while it survived in England, with the result that as yet there were no distinct episcopal or archidiaconal courts. Therefore, among the reforms of the Conqueror is found the well-known decree, probably of 1076,<sup>2</sup> making the distinction clear between the two jurisdictions.

Nullus episcopus vel archidiaconus de legibus episcopali-  
bus in Hundret teneant, nec causam quae ad regimen anima-  
rum pertinet ad iudicium secularium hominum adducant:  
sed quicumque secundum episcopales leges de quacunque  
causa vel culpa interpellatus fuerit, ad locum quem ad hoc  
episcopus elegerit vel nominaverit veniat, ibique de causa  
vel culpa sua respondeat, et non secundum Hundret sed  
secundum canones et episcopales leges rectum deo et epis-  
copo suo faciat, etc.<sup>3</sup>

This order had many and far-reaching effects; but it is germane to the present purpose chiefly as marking the clear establishment of the courts of the bishops and of the archdeacons. These, then, formed a very important supplement to the machinery of visitation, for to them was transferred all the business revealed at visitation and not disposed of at once. The courts drew to themselves much business other than the correction of morals, e.g. the whole testamentary business; and the ecclesiastical courts both episcopal and archidiaconal, becoming permanent, acquired an importance which soon was greater than that of the visitations out of which they grew. But in theory their subordination was always maintained; and during a visitation all other

<sup>1</sup>Schröder, *op. cit.* p. 101.

<sup>2</sup>On the question of date see Böhmer, p. 93, note.

<sup>3</sup>Hard. vi, i, 1611; Makower, p. 465.

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exercise of jurisdiction was suspended, and all the business was done in the visitation itself, even to the proving of wills and other routine work.

Thus the system of visitation acquired its full development. There is no need to trace the history of the continual and ever changing abuses that grew up, or the attempts to correct them as time went on; still less to trace the same lines in the matter of the ecclesiastical courts. But it will be well to take into account some further permanent details of the exercise of visitation such as the claims to exemption, peculiarities of jurisdiction and the like.

### §15

The desire to be exempt from visitation had shown itself in very early days; we have already noted it as finding a place in the formularies of Marculfus. When we begin to inquire with reference to England how early such exemptions began we are met with difficulties. Charters and Privileges that contain a clause of exemption are *ipso facto* specially to be suspected of being forged or at least interpolated:<sup>1</sup> the monasteries were often anxious to obtain such exemption by any and all means. And they succeeded, at any rate, in tampering with documents.

The most familiar instance of this is afforded by the Abbey of Westminster, the chief institution which maintains a monastic exemption at the present time. A clause in Henry's Act of Suppression (1539) placed all houses previously exempt under the jurisdiction and visitation of the Ordinary of the diocese in which they were situate<sup>2</sup>; or "such persons as by the King shall be limited and appointed:" and to this phrase a number of peculiars owed their origin or continuance. Westminster recovered exemption from the bishop, after having been very immediately subject to episcopal

<sup>1</sup>See Hall, *Studies in English Official Historical Documents*, p. 184.

<sup>2</sup>31 Hen. VIII, cap. xiii, cl. 23.

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control during a period when, for ten years (1540–1550), there was a diocese of Westminster, and its bishop occupied the former abbatial house. After a brief revival of monasticism under Mary, not on the old lines, but on a new Italian plan, the Abbey became, under Elizabeth, a Collegiate Church, retaining its old independence. If we examine Westminster's claim to exemption in its early form it seems to rest for the most part on suspect documents. The three great charters of Edward the Confessor<sup>1</sup> are most questionable; and, if the case rested on them, it would be weak indeed. They, however, refer back to older charters of Dunstan and of Kings Edgar, Edward, Etheldred, Edmund and Canute. In the case of Edgar we have extant, and can place side by side, the original undoctored charter which has no clauses of exemption, and the interpolated form of it which contains such clauses.<sup>2</sup> A comparison of these two is very illuminating. There is also a third charter of Edgar which is a production of the twelfth century,<sup>3</sup> and a fourth giving the privilege of sanctuary,<sup>4</sup> which, if older than the preceding, is little more trustworthy. Of Dunstan there is a charter attested by a seal of Dunstan but written in the eleventh century.<sup>5</sup> Of documents traceable to the remaining four kings there is nothing to be found. Possibly their names are a rhetorical flourish: but, even if not, charters from them would probably have much the same value, so far as exemption is concerned, as the rest.

If we turn from royal and episcopal charters to papal bulls we find that one has been provided to be incorporated into one of Edgar's charters, and another for the third charter of the Confessor. These have only the same value as the documents that enshrine them; the papal authority for exemption really begins, as the Dean of Westminster has shown,<sup>6</sup> with Paschal II's bull (1100–1117); and the wording

<sup>1</sup>*Monast.* 1, 293.

<sup>2</sup>Birch, *Cartul. Saxon.* 1048 and 1351.

<sup>3</sup>*Ibid.* 1264. See the criticism in Dean Robinson's edition of Flete's *History*, p. 12.

<sup>4</sup>*C.S.* 1228.

<sup>5</sup>*C.S.* 1050.

<sup>6</sup>*Pref. to Flete*, p. 17.

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of this bull is used in compounding the bull of Nicholas II (1058–1061) for the Confessor's third charter.<sup>1</sup>

More celebrated in former days even than the claims of Westminster to exemption were the similar claims of St Augustine's, Canterbury. Here there was an opportunity, in the days when Norman bishops were beginning to demand evidence for privileges, for throwing back the proof to a much earlier date than it was possible for a comparatively recent house like Westminster to contemplate. St Augustine's rose to its opportunity, and produced in evidence of its exemption a series of documents beginning with privileges ostensibly granted by St Augustine himself and King Ethelbert in 605.<sup>2</sup> This was overbold; when the monks were challenged to show their documents, such as they did produce made but a poor impression even on an uncritical age.<sup>3</sup>

Between these two cases—the earliest and the latest of the great Saxon foundations—there is a great collection of similar claims to exemption, put forward by the greater monasteries and backed by evidences that do not seem worth more than those already quoted. Barking claimed that it had exemption from its founder Erkenwald in 695,<sup>4</sup> while the sister foundation of Chertsey rested on a bull of Agatho<sup>5</sup> (678–681); the same pope was also utilized by Peterborough, which was founded slightly earlier (*c.* 664). Sergius I was made to do duty for Malmesbury (701) and Constantine for Evesham (713) and Bermondsey.<sup>6</sup> For documents purporting to be of later dates in that century the use of the names of popes was out of fashion until Leo III (798) was utilized by Glastonbury to back up an earlier set of privileges attributed to a king, viz., Ina of Wessex<sup>7</sup> (725).

Croyland has earned an unenviable notoriety for effrontery combined with lack of skill in its records. It began them

<sup>1</sup>The bull ascribed to Nicholas is quite unlike other bulls of his: therefore it is copied from Paschal's and not *vice versa*. See the collections in *P.L.* cxi.iii.

<sup>2</sup>See the details in Elmham, *Hist. Mon. S. Aug.* (R.S.), *Introd.* pp. x, xxviii.

<sup>3</sup>C.S. 6, 7; cp. 4, 5.

<sup>4</sup>C.S. 87.

<sup>5</sup>C.S. 56, 48.

<sup>6</sup>C.S. 105, 129, 133.

<sup>7</sup>C.S. 284, 142.

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with a foundation charter of 716<sup>1</sup> which was designed to secure a secular, not an ecclesiastical, immunity, and this design continues to be the motive throughout all the remaining forgeries of the series. So the first great period of activity in monastic foundations, roughly coincident with the seventh century, but extending a little beyond it, comes to an end without having any document of exemption to show, which commands much credit.

The second period is the time of Offa and Kenulf; the foundations are few but conspicuous: the most important new abbeys are St Albans and Winchcombe. The former produces two charters of Offa<sup>2</sup> which give a suspiciously large exemption both from civil and ecclesiastical dues, and can hardly be thought genuine. Kenulf's foundation at Winchcombe produces a charter and two bulls: but it is significant that in them there is no claim to ecclesiastical exemption.

The third period of monastic activity opens with Alfred's foundation of Athelney in 878, and goes on to the end of Athelstan's foundations (*c.* 940). But in this period neither the foundation charters of new houses, such as those of Athelney, Taunton, or the great New Minster at Winchester, nor the grants to old foundations contain any such claim. The privileges conferred are secular only.

The fourth period is that of the revival led by Dunstan, Ethelwold and Oswald in the third quarter of the tenth century. Here the position is more interesting and more intricate. The claims to exemption which are attributed to this period seem to fall into two classes; there are (1) genuine documents of the period and (2) later forgeries attributed to the period. First we note three privileges, all drawn up in the same form, though adapted to such widely different houses as Abingdon, Romsey and Pershore.<sup>3</sup> The privilege conferred is of a very modest sort, comprising chiefly the right to elect abbot or abbess, and freedom from "all

<sup>1</sup>C.S. 335.

<sup>2</sup>C.S. 264, 267.

<sup>3</sup>Abingdon, Nos. 1046, 1047, of the year 959; Romsey, No. 1187 of uncertain date; Pershore, No. 1282 of 972.

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earthly servitude." This is the amount of privilege that might be perhaps expected in a genuine charter at this date, and not more: for it is not likely that a monastic movement which was dominated by the two archbishops and the bishop of Winchester would go far in the direction of exempting monasteries from episcopal control. The first and third charters refer to previous privileges given by Kenulf; and, in fact, the clause of exemption

Sit autem præfatum monasterium omni terrene servitutis eodem tenore liberum quo etc.,

is based on Kenulf's clause in his grant to Abingdon.<sup>1</sup>

Has terras liberabo ab omni servitute magno vel modico regum, principum, episcoporum,<sup>2</sup> etc.

The same scale of privilege is observable in the voluminous refoundation charter of Newminster, where the ideals of the monastic revival are set forth at length. The thirteenth of the twenty-two chapters of the document provides for the free election of the abbot: and chapters 16-18 secure the free possession of the monastery.<sup>3</sup> With these we may, perhaps, class the Chertsey privilege,<sup>4</sup> which confirms the privilege which Erkenwald got from Rome and others of former kings, but adds nothing of importance: and if this is really a charter of Eadgar, then the bull of Agatho (678-681) for Chertsey, which is here presupposed, must have been made ready by this time—in fact, possibly for this occasion. If that is so, then probably some of the other forgeries which profess to belong to the first period were also made now in this fourth period, with a view of having them confirmed by the royal patrons of the day.

But the larger number of them were probably made at a later date. We note that this fourth period is credited with some supposititious charters that are of the same family as the forgeries attributed to the first period. The real origin of the

<sup>1</sup>C.S. 352.

<sup>2</sup>Is this "episcoporum" genuine? It is the only extant case in which Kenulf ventures on ecclesiastical ground: and it is not taken up in privileges of Eadgar that rest on Kenulf's.

<sup>3</sup>C.S. 1190.

<sup>4</sup>C.S. 1195.



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whole family is, therefore, to be looked for at a later epoch. The early Glastonbury series, for example, is echoed here in this period, and the ecclesiastical exemptions are described in some tell-tale phrases which show a common authorship.<sup>1</sup> Similarly a bull attributed to John XII (c. 956) in favour of St Augustine's, Canterbury, echoes the language of the grant of King Ethelbert dated 605. But the writer is probably an over-patriotic monk of the eleventh or twelfth century.<sup>2</sup>

A fifth period begins with Canute and covers the time up till Edward the Confessor; and in this period for the first time real monastic exemptions appear. The chief instance is that of Bury, which procured from Canute a charter affirming it to be free *ab omni dominatione omnium episcoporum comitatus illius*. Its previous charter of privileges of 945 had dealt merely with civil matters. The new position was confirmed by Edward the Confessor, with a stipulation that no bishop is to have any power in the monastery: and later William the Conqueror's charter goes carefully into the position, notes the effect of the two previous charters, secures approval from the archbishops, bishops and nobles, who surround the King's throne, and confirms what has been claimed.<sup>3</sup>

With this may be compared the exemption acquired by Coventry. Leofric the founder in 1043 got a charter from King Edward and a bull from Pope Alexander to secure his monks from the authority of the diocesan: and the Conqueror confirmed this in general terms.<sup>4</sup> For his own monastery of Battle William stipulated

<sup>1</sup>Cp. C.S. 284 with 794 and with 1070 = 1271.

<sup>2</sup>Cp. C.S. 916 with 6. On the other hand it is possible, of course, that this and the companion bull of John are genuine, or at the worst interpolated; and, if that be so, the Pope must have been shown the forged charter of Ethelbert, already made, and must have worded his bull accordingly. And there are, it must be allowed, some reassuring features, especially in the bull C.S. 915, which might be quoted in favour of genuineness.

<sup>3</sup>*Monast.* III, 137-141.

<sup>4</sup>*Ibid.* 191, 192. Compare the case of Ely which secured exemption from the Confessor and Pope Victor II. *Ibid.* I, 477. In both these cases the situation was subsequently altered by the creation of the monastic church into a cathedral.

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Sitque libera et quieta in perpetuum ab omni subjectione episcoporum et quarumlibet personarum dominatione sicut ecclesia Christi Cantuariæ.<sup>1</sup>

Henceforward such exemptions as appear in charters are probably genuine. The principle had been clearly established: and, more than that, the reformed Benedictines of the family of Cluny or the federation of Cîteaux will need no such special exemption, for it is part of the system to which they belong that the duty of visitation rests with the Order and not with the diocesan bishop.<sup>2</sup>

We return from these genuine exemptions to consider further those made *ex post facto* in order to secure for ancient houses what the new foundations were securing *ab initio*.

Though there may have been some such exemptions claimed and confirmed in Dunstan's time, the great day of such claims came later. There was little in the half century after Dunstan's death to make any fabrication of monastic exemptions necessary. But when foreign influences began, and later when Norman archbishops and bishops took up the reins, it was different. The liberties and freedom that had been customarily enjoyed were now questioned: documents were asked for, in order to substantiate claims, and therefore they had to be produced.

Different degrees of claim existed, and we see them recorded retrospectively in the documents that were produced. The slight privileges that had sufficed for Dunstan's day are too little now: but the terms made with the bishops differ considerably from one another. At one end of the scale comes the compact of the Bermondsey and Woking

<sup>1</sup>*Ibid.* III, 244. At the beginning of the foundation the exemption was recognized by the Bishop of Chichester. But in spite of this, continual disputes went on, first about the abbey, and then about the parish church of Battle which it founded. The course of these may be traced in the *Chronicon Monast. de Bello* (Angl. Christ. Soc. 1846) up to the *composicio* of 1255 (Appx. p. 191), which regulated the terms on which the abbey at last submitted to the Bishop.

<sup>2</sup>Similarly the institute of Premonstratensian Canons was exempted as a whole; the Gilbertine Order by special privilege (*Monast.* vi, 960), and the mendicant orders as being corporately subject to the immediate jurisdiction of the Pope.

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privilege<sup>1</sup> which is a very mild form of exemption, and actually seems to be securing a place for the bishop in the convent's life as well as to be restricting it.

Loci vero episcopus qui e vicino monasteriis eisdem conjungitur ordinandi presbiterum vel diaconum quem videlicet congregatio servorum dei ibidem constituta delegerit atque poposcerit facultatem tantummodo habeat, ut congregatio quidem eligat quem habitura est sacerdotem.

A clause such as this about the bishop's ordinations is not an uncommon feature elsewhere also; and other episcopal duties such as professions, consecrations, etc., are sometimes taken into account: but the provisions which follow about visitation seem to be unique.

Episcopus loci qui e propinquo eorum est quaequae sunt secundum sacros canones inquirenda non neglegat. . . .

Deo amabilis autem episcopus quaequae sunt deo canonice perquirenda tanquam deo de hoc rationem redditurus exquirat.

The abbot is to be appointed by the bishop, but he is to be the elect of the convent: if he offends the bishop will warn and rebuke him *ut ecclesiasticus praesul*. In short

quae ad canonicam pertinent curam episcopus loci procuret inquirere: quae ad rem et dispensationem monasterii pertinent, religiosus abba qui pro tempore fuerit cum praeposito suo et prioribus congregationis ut providerint expedire disponatur.

While these two allied monasteries thus allowed power to the bishop, Peterborough, on the contrary, in the bull which it attributed to Vitalian (657-672), concerned itself only with archbishop and pope,<sup>2</sup> like the later bull which it fathered upon Agatho (680).<sup>3</sup> St Augustine's, Canterbury, in its Agatho bull,<sup>4</sup> however, and Malmesbury in its similar bull assigned to Sergius I (701), went further still and admitted no authority but the pope's: this then became the

<sup>1</sup>The bull is somewhat of a puzzle and the monasteries to whom it applies. Apart from the company in which it is found there seems little to throw doubt upon its genuineness.

<sup>2</sup>C.S. 839.

<sup>3</sup>C.S. 48.

<sup>4</sup>C.S. 38.

### Introduction

favourite form of exemption. Of the milder forms of privilege, some merely restricted the bishop from interference or from invading the convent's rights: others forbade episcopal monetary exactions. Glastonbury, on the other hand, especially valued its jurisdiction, and, therefore, was particularly insistent

ne quisquam mortalium seu episcopus aut dux vel quilibet minister eorum audeat eam [villam] intrare causa placitandi vel rapiendi, etc.,<sup>1</sup>

while other places made a great point of their rights of sanctuary. Westminster made no secret of its enemy and excluded the bishop of London by name, and absolutely.<sup>2</sup>

Thus the chief ancient Benedictine Houses in the eleventh and twelfth centuries contended for their exemption from episcopal visitation. But whatever value there was in their indigenous charters, real or supposititious, they now went to the trouble of obtaining a royal or papal confirmation. Thus Westminster got its bull from Paschal, and Evesham a charter from Rufus which expressly excluded episcopal visitation.<sup>3</sup> Others only later got full recognition, e.g. Glastonbury from Reginald, bishop of Wells (1174-1191).<sup>4</sup> But it is to be observed that many of those who made bold claims got no such recognition: and in the end there were but six or seven great Benedictine Houses exempt from episcopal visitation, Canterbury, Westminster, Bury, St Albans, Evesham, and Glastonbury,<sup>5</sup> to which must also be added Malmesbury.<sup>6</sup>

These exemptions affected also dependent priories and cells of exempt mother houses; arrangements had to be

<sup>1</sup>C.S. 794, cp. 142, and 1070 = 1271.

<sup>2</sup>C.S. 1050.

<sup>3</sup>*Monast.* II, 18. Also a decision of Innocent III. (1206), in *Greg. Decr.* V. xxxiii, 17.

<sup>4</sup>Church, *Charters in Wells History*, 56, but this was afterwards modified (*ibid.* 94-118).

<sup>5</sup>Reyner, *Apostolatus Bened.* Appx, pp. 108-9. As a curious instance of the shifts to which a monastery would resort in order to escape visitation, see the plea by which Evesham repelled the Visitors of the Order, who were tackling the exempt Houses, viz., that though no doubt exempt from the Bishop of Worcester the abbey was however subject to the Archbishop of Canterbury, and therefore not to them. (Dunstable Annals *anno* 1233 in *Ann. Mon.* III, 133).

<sup>6</sup>Information from A. R. Malden, the learned Registrar of Sarum.

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made with the diocesan about them, which varied in different places. St Albans had many cells, including such important establishments as the Priories of Tynemouth in Northumberland or Wymondham and Binham in Norfolk. In the case of the last two an agreement as to visitation was reached between the abbey in 1228, which left the priories exempt but made them liable for an annual payment.<sup>1</sup> A similar arrangement which prevailed elsewhere made other houses too liable, like these, to pay procurations, but set them free from visitation.

Among the Augustinian Houses one only was exempt, viz, the great abbey of Waltham Holy Cross, originally founded by Harold before the Conquest and refounded in 1177 by Henry II.<sup>2</sup> Its exemption professed to date from the earlier stage: but, at any rate, it became explicit at the later one.

The monastic exemptions are seen in this way to have introduced a greater complexity than appears at first sight. The greater part of this complexity of jurisdiction disappeared at the suppression of the monasteries: but some survived. Glastonbury had treated its territory as a sort of archdeaconry and had an archdeacon to exercise jurisdiction there: and the same plan was in force at Westminster and St Albans. When the monasteries were suppressed, the Glastonbury territory came into the diocese of Wells and Archdeaconry of Wells, though it kept its identity under the title of "The jurisdiction of Glastonbury." The St Albans territory, so far as it lay within the area of Herts, came into the diocese of London and a new non-monastic archdeacon was set over it under the bishop: but he exercised jurisdiction in the diocese of Lincoln too over that part of the territory that lay in Bucks.<sup>3</sup> The Westminster area remained exempt and is still (in a reduced form) under the Archdeacon of Westminster, who is an officer of the Chapter not of the Bishop.

At Evesham a dispute went on between the abbey and

<sup>1</sup>*Monast.* III, 325.

<sup>2</sup>*Monast.* IV, 57, 63.

<sup>3</sup>Newcourt, *Repertorium*, I, 94. It comprised twenty-six parishes, all in Herts., except four in Bucks.

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the bishop as to the visitation of the deanery of Evesham. It was never settled; but pending a settlement the abbey maintained the exemption. At the suppression of the monastery this area did not pass, in the normal way, from the abbey to the bishop, for the dispute was still undecided: and in consequence the deanery remained a peculiar, exempt from episcopal visitation, till 1851.<sup>1</sup>

There survived also a number of other peculiar jurisdictions, exempt from the bishop in more or less degree because of old monastic privileges. The chief of these were Thorney in the diocese of Ely, Milton in the old diocese of Salisbury (now Bristol), Dorchester in the old diocese of Lincoln (now Oxford), Buildwas in the diocese of Lichfield, Selby and Snaith in the diocese of York.<sup>2</sup>

Other smaller peculiars, usually consisting of one manor each, also retained an exempt position in the hands of lay owners. Some of these had belonged to a Cistercian or Carthusian house and thus been exempt: while other exemptions survived in manors that had belonged to the Hospitalers or the Templars. Add to these exemptions a fair number of the donatives, i.e., those which owed their freedom from episcopal jurisdiction to the fact that they had been dependencies of abbeys, and it becomes clear that in small ways many exemptions remained as survivals from monastic days, and made gaps in the area over which the bishop presided.

### §16

We next have to consider another set of peculiar jurisdictions, which arose, not from monastic exemptions, but from the fact that some one else than the bishop was Ordinary. In feudal days a personal relation was of much more account than a geographical one: consequently the ecclesiastical subjects of the crown or of some important ecclesiastical person or corporation were held to be under the

<sup>1</sup> Willis Bund, *Sede Vacante Reg. of Worc.* (1897), Introd. p. lviii. See also below, p. 181.

<sup>2</sup>See others included in the Return printed in the Appendix, p. 172.

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jurisdiction of that superior rather than of the diocesan. Thus Royalty had its peculiars: the archbishops and bishops had theirs in dioceses other than their own; deans and chapters collectively had peculiar jurisdiction over their estates, and individual dignitaries had sometimes the like, together with some prebendaries, rectors, and even, in a few instances, vicars. Such peculiar jurisdiction did not necessarily involve immunity from episcopal visitation: but in a number of cases it did:<sup>1</sup> and hence resulted more gaps in the bishop's area.

Four out of the seven deans who had peculiar jurisdiction over the estates of the cathedral had also exemption from visitation. At York the bishop visited all the peculiars held by members of the chapter or by the Chapter corporately: at Wells he visited none, while at Salisbury he visited those of the ordinary prebendaries but not those of the Dean and Chapter or of the several dignitaries—Precentor, Treasurer and Sub-dean. On the other hand a peculiar held by an external bishop was never subject to the diocesan,<sup>2</sup> nor, as a rule, were those of the Crown. Exempt areas were considerable in number. The archbishop of Canterbury had peculiars in six different dioceses: in Chichester they lay in the two deaneries of Pagham and South Malling: in London they lay in the Deanery of Arches comprising 13 City churches; in Winchester in the Deanery of Croydon comprising 15: in Rochester in the Deanery of Shoreham, comprising 32. His peculiars in the dioceses of Lincoln, Norwich and Oxford were less considerable, but all together amounted nearly to another diocese lying outside the territorial boundaries of Canterbury.<sup>3</sup> Other bishops, as for example those of Durham, Norwich and Bristol, had jurisdiction in peculiars outside their dioceses; and some collegiate churches, such as Ripon, St John's Chester, St Mary's Stafford, had jurisdiction in their estates just as the Cathedrals had.

<sup>1</sup>For the immunity of some royal peculiars see the papal documents in *Burton Annals*, 275 (1245).

<sup>2</sup>There were, however, many disputes on the subject, e.g. Anselm's with the bishop of London. See Eadmer, *Hist. Novorum*, 1094 A.D. (R.S. p. 45), and Anselm, *Epist.* III, 19.

<sup>3</sup>See Parker's Visitation returns in 1569. *S.P. Dom.* cx. 70.

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In some cases the origin of these exemptions lies too far back to be traced. We have already noted Lanfranc's way of dealing with the Chichester peculiars, and we observe that he found them placed by immemorial custom under his charge. But simultaneously we can see the archbishop of York granting, apparently as a new departure, the immunity from his visitation to all churches in his diocese that depend upon the bishop and convent of Durham (*c.* 1090).<sup>1</sup> So in that case the exemption is comparatively modern. In process of time the Universities and some Colleges came to have similar immunities, not only within their own borders, but also to some extent over their external estates; thus Eton College, and Trinity and King's Colleges at Cambridge, had peculiar jurisdiction in estates outside their own immediate area and an exemption from episcopal visitation in them.<sup>2</sup> To trace the history of such privileges would be a difficult though fascinating task: but it is no part of our present purpose; and it must be sufficient to indicate in outline the privileges that curtailed the bishop's right of visitation; and so pass on.

### §17

It is still more difficult to describe or account for the exemptions from archidiaconal visitation. Monasteries were rarely subject to it, and spheres that were free of the bishop were naturally free of his deputy. But, on the other hand, there are places which were and are free of the archdeacon by being reserved to the immediate jurisdiction of the bishop. This seems to have come about through a reservation on the bishop's part; and it seems especially to have taken place in his own manors or places where he was personally resident.<sup>3</sup> In the diocese of London the archdeacon of London had no authority in the archbishop's peculiars nor in peculiars of

<sup>1</sup>Raine, *Historians of the Church of York*, III, 17, and *cp.* 81.

<sup>2</sup>See Blue Book, *Returns respecting Jurisdiction . . . of Eccl. Courts*. 1830. *Esp.* pp. 417-419. And the return of 1563 printed below p. 172.

<sup>3</sup>Lyndwood, *Prov. Lib.* III, Tit 22, note b (*Edn* of 1679, p. 218).



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the Dean and Chapter, nor yet in St Botolph's, Bishopsgate, which was subject only to the bishop. In Essex, besides the parishes that were exempt because they were peculiars of some other than the diocesan Ordinary, eight more were exempt from the archdeacon of Essex because reserved to the bishop. The archdeacon of Middlesex had no rights over nine parishes in his area which were similarly reserved to the bishop; and among them we note Fulham, Hackney, Stepney, Hornsey, which were episcopal manors. A similar condition existed in the archdeaconry of Colchester. It is observable that others of the exempt places were previous to the suppression in monastic hands<sup>1</sup>: they seem, therefore, to have retained their independence of the archdeacon, even after the suppression, as a legacy of the time previous. Similar evidence may be drawn from the dioceses of Ely and Worcester.<sup>2</sup>

The process of gaining such exemption is obscure, and it was evidently an early one; for probably all the exemptions by which places were reserved from the archdeacon's jurisdiction to the immediate jurisdiction of the bishop were granted before Alexander III by a letter to the archbishop of Canterbury forbade this to be done (1159-1181).<sup>3</sup>

### §18

The Visitation of Cathedral bodies has had a troublous history. The Normans, on coming to England, found four principal sees linked with Benedictine Abbeys, viz., Canterbury, Rochester, Winchester and Worcester. This unusual arrangement they continued: but side by side with it they erected the two new Chapters of Salisbury and Lincoln, in connexion with the transferred sees, and reorganized York, on the secular model that was familiar to them. In each of these a Dean presided over the Chapter; and a distinct line was drawn between the bishop, on the one hand, and his Dean and Chapter, on the other, both in point of property and in

<sup>1</sup>See Newcourt, *Repert*, esp. i, 55-93.

<sup>2</sup>Bacon *Liber Regis* pp. 226-241 and 964-986.

<sup>3</sup>Appx *ad Conc. Lateran*, 1179, Pars xxiv, cap. 4. Hard. vi, ii, 1722.

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other respects, which was unknown in the secular sees of Saxon foundation, such as London, Exeter or Hereford. When the see of Selsey was transferred to Chichester (1075) it was connected with a secular chapter and probably at once framed upon the developed model of Salisbury.<sup>1</sup> On the other hand when the see of Lichfield was transferred, it went first to Chester and then to Coventry, being in both places connected with a Benedictine Abbey. When the East Anglian see went to Norwich an abbey was founded in connexion with it (1094). At Durham the convent was founded in 1082; the secular canons were dispossessed, and monks were brought from the newly revived houses of Jarrow and Wearmouth to form a monastery for the church and see of William of St Carilef, the second of the Norman bishops. In this process it is interesting to note that the York Chapter formed in some sense a model for the Durham body so far as jurisdictions and relation to the bishop went<sup>2</sup>: the prior was to have privileges like the Dean's, and the peculiar jurisdiction of the convent over its churches was to be like that of Salisbury (and presumably York), that is, equivalent to an archdeacon's authority.

The Somersetshire see was moved from Wells to the Abbey of Bath in 1088, but only temporarily. Wells began to recover its position in 1136, and the secular chapter was formed afresh mainly after the model of Salisbury.<sup>3</sup>

The two new dioceses of the twelfth century each had a house of regulars as its centre, Ely being Benedictine and Carlisle Augustinian. In the end there are eight monastic and nine secular bodies to take into account, apart from the four Welsh sees, whose history is too obscure to be brought into consideration. In each case, whether regular or secular, the connexion of the bishop with the body was originally very close. The Normans began to separate his income from the income of the body: but until then the estates were held in common. There seems, therefore, to have been no question

<sup>1</sup>Frere, *Use of Sarum*, I, p. 30.

<sup>2</sup>Charters in Raine, *Hist. Dunelm Script. Tres.* pp. 1-18.

<sup>3</sup>See the Ordination of 1136 in *Monast.* II, 293, and Church, *Early Hist. of Wells*, 11-23.

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of visitation at first: for the bishop was a person within, not without. In the abbeys he was responsible as abbot. In the secular chapters, though he lost authority by the concession which gave the Chapter a head of its own in the person of the dean, he retained in some degree a position for himself in the chapter. The Dean was responsible for discipline and order, and the bishop was in theory close at his side to see that his work was done.

But the century and a half that followed the Conquest brought great changes. The cathedral ideal steadily decayed. The theory of a great worship, maintained by a number of clergy who gave up their lives to form a body devoted to waiting upon it continually, was one which belonged to the monks. The seculars borrowed it, and tried to carry it out, without the discipline, or the closeness of corporate life, or the merging of the individual in the body, which made it a possibility for the regulars. So with the seculars it soon failed. The canons soon wished to be absent, residence was cut down; the separate prebends were made for the several prebendaries, and then given to non-residents. Unwilling to reside and take their own part in the worship, they were made to provide deputies; and soon a whole system grew up of organized absenteeism. The canon found a vicar to take his place in the church, and another to take his place in the parish from which his prebend came; while he himself did little beyond receiving the money, subject to some deductions for his two deputies and for the common fund of the cathedral or college.

The ideal was gone: but it was still worth every one's while to preserve the semblance of it. In the transference, however, cathedral life had become a sphere which opened the widest of doors to abuses: and chapters sadly needed correction from without. Meanwhile the Bishop had been increasingly alienated from his chapter: he was powerless now, through various causes, including his own continual absence from the cathedral if not also from the diocese, to have any power from within. Yet it was urgent that some one should do something, and there was no one but the bishop to do it: moreover after all it was one of his inherent duties.

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This is what Grossetête saw when he set out in 1239 to establish his right to visit the Lincoln Chapter<sup>1</sup>: and he expounded it at length in his letter to the Dean and Chapter.<sup>2</sup> Naturally such a claim was passionately contested, and both parties went to the Pope to fight the question out. But Grossetête was not a man to be beaten: with the help of Pope Innocent IV and his bull of August 25, 1245,<sup>3</sup> he established a very far-reaching power of visitation, and in the year following he exercised it.

Shortly afterwards, in 1262, Bishop Giles of Bridport put forth a similar claim to visit his cathedral body at Salisbury. Evidently he was no Grossetête in the matter. The Chapter confronted him with large-sounding phrases of immunity, drawn from St Osmund's *Institutio*, and protested that no such claim had ever been made by a previous bishop. So the claim was withdrawn, and the Chapter enjoyed yet a century and more of exemption. Then Bishop John Waltham returned to the charge, and in 1392 secured a bull from Pope Boniface confirming an arrangement that had been reached, on this and other points in dispute between the bishop and the chapter, by the intervention of the King, Richard II. The right to visit was conceded but carefully regulated in details: the visitation was to be only once in seven years and to last no more than five days: its order was laid down and the bishop was tied to a certain procedure; but provision was also made for the reformation of all defects according to his injunctions within three months.<sup>4</sup>

At York the history was in many ways similar: after a period in which the archbishop was restricted rather than encouraged in attempts at discipline, a claim was put forward by Archbishop John Romain and a compact was made November 21, 1290. The inquiry was to be a personal inquiry, made *viva voce*, and only once in five years: no

<sup>1</sup>Matth. Paris, *Chron. Maj.* (R.S.), III, 528; IV, 154, 390, 497.

<sup>2</sup>*Epistolæ* (R.S.), No. cxxvii.

<sup>3</sup>*Linc. Cath. Stat.* I, 315; II, clx. *Cal. Papal Reg.* I, 178, 185, 183, 202, 203, 219.

<sup>4</sup>Dayman and Jones, *Statuta*, 22, 82. *Cal. Pap. Reg.* IV, 457.

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procurations were to be paid; but abuses detected were to be reformed within six months.<sup>1</sup> This agreement does not seem to have ended the matter, for further troubles followed, and it was only in 1328 that an effectual settlement was drawn up, defining the general right and regulating the procedure on lasting lines.<sup>2</sup>

The Lichfield Chapter was modelled on that of Salisbury and on Osmund's *Institutio*: but the Dean acquired more power as time went on. He exercised some of the powers which the Sub-dean had at Salisbury and acquired the right of visiting and of exercising archidiaconal powers in the several prebendal spheres of the canons as well as on the estates of the common fund. In the second half of the thirteenth century, when the question of the episcopal visitation of chapters was coming forward everywhere, the Dean with the Chapter at Lichfield made good the claim to be the only authority for supervising the Cathedral and Chapter. At the same time we note that the authority of the bishop was considerable, for he gave his name to Statutes which were the rules of the Chapter at least from the days of Nonant (1188-1198): but no right of visitation seems to have been finally recognized till we reach the year 1428 in the days of Bishop Heyworth. Then a composition was made between the bishop and the chapter which laid down the right of visitation and defined the method and various restrictions by which it was to be bounded. The Dean retained authority over all the other clergy; the bishop could only correct the Dean or the Dean and Chapter. The prebends were to be exempt from the bishop except in case of scandalous neglect. The bishop could only visit every seven years.<sup>3</sup> Before arriving at this result various tentative proposals were made, and the Chapter made careful inquiry of the customs prevailing in other cathedrals, and recorded in

<sup>1</sup>Raine, *Historians of York* (R.S.), III, 216.

<sup>2</sup>*York Statutes* (1900), p. 118. Wilk. *Conc.* II, 547. The rules of 1279 there mentioned have not been traced. In 1289 the matter was still unsettled. *Cal. Papal Reg.* I, 500, 517.

<sup>3</sup>See the *Compositio* in Wilk. *Conc.* III, 508. The Statutes are in full in *Monast.* VI, 1255-1265. Cp. *Linc. Cath. Stat.* I, II, and ff. and Brit. Mus. MS Vitell. A.x., ff. 169 and ff. Cp. Frere, *Use of Sarum*, I, 33-5.

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its Register a summary of the situation which may be seen printed in the Appendix.<sup>1</sup>

At St Paul's, though the Dean visited the Chapter &c., the Bishop of London had also a right of visitation in the Statutes of Dean Baldock<sup>2</sup> (1294-1305): it does not appear that he had any similar contest before he could establish his right to visit: but the earliest recorded visitation is of 1314.<sup>3</sup>

At Wells the controversy seems to have begun with the entry of the Chapter into its new Chapter House. Here, as at Lichfield, the tendency had been hitherto for the bishop to surrender power, and the Dean to assume it. The prebendal spheres had acquired exemption from Bishop Savaric in 1203: the Dean and Chapter had exercised the duty of correcting abuses themselves and had joined with Lincoln in its protest against Grossetête's innovations. Giles of Bridport had been Dean of Wells before he was bishop of Salisbury, and his surrender to the Chapter was in accordance with the traditions in which he had been brought up. But in 1319 Bishop Drokensford proposed to visit, not only the prebendal and other exempt churches, but also the Dean and the Chapter; and, in spite of formal protest and claim of exemption, he announced that he should go forward. Dean Godley replied that it was his own business to visit triennially, and that he recognized no other person as having the right to visit unasked, except the Archbishop in his metropolitanical visitation. He produced charters which proved the exemption so far as the parishes were concerned and the town and suburbs of Wells. But the case broke down in so far as it denied the bishop's right to

<sup>1</sup>This document is printed, at p. 170, from the *Magnum Registrum Album* of the Lichfield Chapter, f. 184. There is also in the Chapter Archives an interesting draft of a proposed composition which is a good deal earlier in date than the one which was ultimately adopted. (Doc: EE. 1.)

<sup>2</sup>I. Cap. 3. in Sparrow Simpson, *Registrum Stat.*, p. 11.

<sup>3</sup>But there are some injunctions (*ibid.* 87) of Bishop Gravesend in 1287, which possibly had their origin in a visitation. The Chapter seems to have pleaded its willingness to be visited by its own bishop as a reason for not being visited by the metropolitan in 1250 (see below): and possibly this accounts for the ease with which the bishop seems to have come in as visitor. For Segrave's Visitation in 1314 see Sp. Simpson, *Documents illustrating the Hist. of St Paul's* (C.S.) p. 44.

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visit the Chapter. In 1321 a compact was drawn up which recognized the Dean's power of visitation and the exemption of the prebendal estates. The Dean at once, to make all secure, set out to visit the Cathedral in his own name, and the rest in the name of the Dean and Chapter: and his visitation articles are extant. But the bishop secured his right to visit the Chapter: and when the method of this visitation came to be set down in Dean Godley's Statutes in 1331 it was stated that this method had been in use ever since the days of the earlier bishop Button (1248-1265). The inference is that Bishop Button must have taken steps to secure his right soon after the precedent set by Grossetête. At the same time the bishop's power in visitation was narrowly restricted: he could only visit the Chapter in the person of the Dean, questioning him alone and taking his answers from him.<sup>1</sup>

Exeter seems to have followed early the lead set by Lincoln, for we find Bishop Bronescomb arranging a compact between the Dean and the Archdeacon on the subject of the exemption of the churches belonging to the cathedral and its officers in 1270. A few years previously he had been busy, in conjunction with Edward Dean of Wells and Roger Archdeacon of Exeter, the proctors for the Dean and Chapter, with a codification of the Customs of the Church, and had added to the code some new statutes: and later in 1275 he resumed and completed this work in conjunction with a visitation of the Chapter. He had occupied the see since 1257, and therefore would have borne the brunt of the conflict if there had been one. But probably the matter was arranged amicably in the way indicated. In the Statute of 1275 his phrase describing the position is as follows:

Cumque . . . ad vos declinaverimus, visitacionis officium  
in capitulo vestro, sicut nobis incumbit, personaliter  
impensuri.

This shows no trace of any conflict.<sup>2</sup> But the position at

<sup>1</sup>See the documents in Reynolds, *Wells Cath.* 125-149. Church, *op. cit.* 303-305. And the Lichfield Summary in the Appendix below, p. 170.

<sup>2</sup>*Regist.* (ed. Randolph), pp. xiii, 76, 77; *Harl. MS.* 1027, f. 12<sup>v</sup>.

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Exeter was in various ways different from what existed elsewhere.<sup>1</sup>

Hereford in this, as in other matters, exhibits an exceptional individuality and independence, following a line of its own with comparatively little sign of external influence. The *Consuetudines* of the middle of the thirteenth century show that the Dean is the visitor of the Chapter and its estates; but each canon has jurisdiction in his own estate, and is answerable to the Dean and Chapter *and to no one else*, and punishable by the Dean and Chapter *and no one else*—as the document takes pains to asseverate.<sup>2</sup> At the time when the Lichfield Summary was made, the matter was in dispute: and this condition of things continued down to the Reformation. When the changes were in full swing the King sent a letter to the Dean and Chapter dated April 7, 1542, in view of the visitation that was to follow in July, saying that the Cathedral had not been for a long time visited by the Diocesans according to the laudable custom of other cathedrals: but now this was to be altered. The King has commanded the bishop to visit and the Chapter are to receive him as their visitor.<sup>3</sup> However, in 1563 the bishop reported that the cathedral was exempt from his jurisdiction.<sup>4</sup>

At Chichester the general definitions of the rights of the Dean and Chapter were based upon those of Salisbury, but the development does not seem to have taken place here, as elsewhere, which enlarged the Dean's authority at the expense of the bishop's. There is a lack of evidence as regards the crucial century, extending roughly from 1250 to 1350: the series of Statutes comes to a close at about the earlier date, and the episcopal registers do not begin till 1397. But one of the first acts recorded in the earliest register is the visitation of the Dean and Chapter by Bishop Robert Rede.<sup>5</sup> And also it is clear from the Lichfield Summary that the bishop's right of visitation was then clearly recognized and defined by some special restrictions.

<sup>1</sup>See Appx. p. 172.

<sup>2</sup>*Linc. Cath. Stat.* II, 58–61.

<sup>3</sup>*Skip Reg.* at Hereford, f. 40<sup>v</sup>.

<sup>4</sup>See Appx. p. 186. No visitation is known till the end of the xviii<sup>th</sup> century.

<sup>5</sup>*Register* (ed. Deedes, 1908), I, 69.



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### §19

No similar hindrances to supervision by the bishop existed in the case of the monastic chapters. The monks maintained the ideal of a great church in which continual worship was the first aim of the body attached to it. They did not want separate prebends, nor did they wish to be non-resident: they therefore made no system of deputies, and no struggles to evade obligations while retaining the emoluments. Whatever their faults may have been, they were not those which made the secular cathedrals so much to need and so violently to resent visitation. The bishop as abbot was always in close relation to the convent. When visitation became the order of the day in the dioceses, the bishop visited without question the cathedral monastery; and whatever other quarrels he may have had with the Prior and Convent, and they were many, this right was not much contested.<sup>1</sup> There is, however, one exception evident. The monastery of Coventry when it became the centre of the great Midland diocese tried to secure an exemption for itself from episcopal visitation, being, perhaps, fired to make this attempt by the claim to exemption of the church of Lichfield which was its partner in the possession of the *cathedra* of the bishop. The attempt came to nothing and by a papal decision of 1236 the monastery was obliged to submit to visitation. The Lichfield canons carefully recorded the matter in their own register as one of the precedents which they, no doubt, hoped would not prove to be binding on themselves.<sup>2</sup>

Similarly, apart from the exempt orders and from the exemption claimed by a few monasteries, and actually substantiated by fewer still, there was no question as to the bishop's right and duty to visit the religious houses of

<sup>1</sup>For a regulation of it, so far as method went, see Lichfield *Magn. Reg. Alb.* f. 255, Bishop Roger's composition with Coventry in 1285. Cp. below p. 85 note.

<sup>2</sup>*Ibid.* f. 206<sup>v</sup>; and Dunstable Annals in *Ann. Mon.* III, 143. Cp. *Cal. Papal Reg.* I, 150.

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his diocese. Those that actually came into question were the old Black Benedictine Houses and their Priors and Cells, together with the Black Augustinian Houses; the White Augustinian Houses or Premonstratensians were like the reformed Benedictine Orders—Cluniac, Cistercian and Carthusian—wholly and corporately exempt. The old Benedictine Houses, when once provincial chapters were instituted according to the Lateran decree of 1215, had also their own scheme of visitation, which was carried out by Visitors appointed at the chapter.<sup>1</sup> So they had every opportunity that visitation can give of being maintained at a high level or else reformed.

The bishops were on the whole more zealous and punctual in visiting their convents than their dioceses. The process was not always systematically carried through: convents were as a rule visited in groups from time to time. But frequently some house earned an unenviable notoriety by receiving a particularly bad report; and then it enjoyed the privilege of repeated visitations, and as many injunctions as were necessary, until amendment was made.

### §20

Metropolitan visitation was probably not exercised by the early Norman archbishops. An order for it from Pope Honorius to Langton in 1222 seems to have been fruitless: but the matter was taken up (1237) by Archbishop Rich, only to meet with great opposition.<sup>2</sup> Again when Boniface was fired by the example of Grossetête, he was resisted with much vigour. Matthew Paris has given a vivid though prejudiced account of this proceeding, as of the precedent set at Lincoln which it followed.<sup>3</sup> Boniface began at his own cathedral early in 1250, passed thence to the Convent of Feversham and the cathedral at Rochester, meeting with no opposition. It was very different when he came to London in May: the Chapter resisted him at St Paul's, and closed the gates of the choir against him so as to prevent the sermon and other business of the visitation. He replied with a sentence of

<sup>1</sup>See for examples the *Acta* in the Appx of Reyner, *Apost. Benedictin.*

<sup>2</sup>*Cal. Papal Reg.* 1, 86, 162.

<sup>3</sup>*Chron. Maj.* (R.S.), v, 119.

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excommunication, and passed on to the priory of St Bartholomew in Smithfield. Here the subprior and convent met him with all due respect, but refused to undergo the visitation: and in the choir of the church something like a scuffle took place. Matthew says that it was begun by the archbishop beating the subprior about the head and breast. Anyhow, the results were seen in torn copes, many bruises, sorely wounded feelings, and a report that the archbishop was seen to have been wearing armour under his vestments. The quarrel with the cathedral was the more serious matter: though it was influenced by what had taken place in Smithfield. The canons complained to the King: but he supported the archbishop. The sentence of excommunication was renewed and made to include the bishop of London. The bishop submitted and was absolved, but the Chapter and the archbishop alike appealed to Rome. The bishops of the province stood together against Boniface, and the great abbots, no doubt, made common cause with them, fearing, as Matthew shows us about his own abbey of St Albans, what might follow from such a precedent to their own detriment.

The archbishop had behind him the decretal of Innocent issued in connexion with the Council of Lyons (1245), which had set out in great detail the procedure of a metropolitan visitation.<sup>1</sup> He had also great influence at the papal court. Consequently he succeeded in getting the complaint from Smithfield quashed. The sentence of excommunication against the canons of St Paul's was, however, pronounced by Pope Innocent to be null.<sup>2</sup> This did not affect the main point, namely, the right to visit; and that the archbishop successfully established. The bishops of the province opposed him formally at the papal court, but he returned having won his case, and a decision in his favour followed. So the bishops had to content themselves with a papal decree modifying the set of conditions previously laid down to regulate a

<sup>1</sup>It is in the *Sext*, Lib. III, Tit. XX, No. 1. It is given in *Matt. P.* (vi, 188) as Boniface's justification. Cp. *Mansi, Conc. xxiii*, 667.

<sup>2</sup>*Ibid.* vi, 197, of August 27, 1250. Cp. a later document of June, 1252, to the archbishop preserved in the *Burton Annals (Ann. Monast. (R.S.), I, 304)*.

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metropolitan visitation; this was designed to restrict the archbishop to visiting only the great officials of the dioceses, to exempt parish churches from paying procurations as a rule, and to secure the immunity of exempt monasteries.<sup>1</sup> In 1253 Boniface successfully accomplished his visitation at St Paul's as well as in several dioceses of the province: and his metropolitan rights of visitation were secured to him.

All, however, was not to go on quietly thereafter under subsequent primates in the province of Canterbury. Archbishop Peckham pushed his claims very far, and came into collision with both exempt monasteries and royal peculiars in doing so. Not only so, but the bishops of the province protested against his methods and drew up formal articles of complaint; the archbishop returned a detailed reply, and there, for the moment, the matter seems to have ended.<sup>2</sup> Later metropolitans were less pushing: yet they, too had to meet opposition. When Simon Meopham was visiting the province in 1332 the great bishop Grandisson of Exeter did his best to exclude the archbishop from his diocese. He had been labouring since his consecration in 1327 to get it into some sort of order, and he apparently conceived that this invasion would spoil his plans. He resisted then in the interests of efficiency, not the reverse, appealed to the pope for support, and secured it in the form of an inhibition covering himself and his successors. Meopham went on his course, supposing that as he came nearer to Exeter the bishop would withdraw: but he had quite miscalculated the determination of his opponent. Grandisson established himself in the city, called in secular aid: and when the archbishop appeared, barred his way to the cathedral, so that he had to return unsuccessful. This exceptional procedure did not form a precedent: the matter was contested but dropped on Meopham's death in the year following (1333).<sup>3</sup>

<sup>1</sup>Matt. P. vi, 228. Also see the Decretals in the Burton Annals, pp. 302, 303.

<sup>2</sup>*Register* (R.S.), i, 328, etc. See there also pp. 306-317 for his dealings with the exempt houses, and many letters concerning the royal peculiar of Wolverhampton and others. Innocent IV had already tried to settle the case of the royal chapels by two decisions of 1245. See the Burton Annals, pp. 273-275.

<sup>3</sup>*Grandisson Register* (ed. Randolph), Pref. pp. xxxii-xxxv.

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The right of metropolitical visitation was thus asserted, and was not allowed to go into abeyance. Successive archbishops of Canterbury exercised it from time to time. Warham at the beginning of the sixteenth century linked on the old series of metropolitical visitations with a new series which begins with his successor Cranmer.

In the Northern province Durham more permanently claimed and maintained its exemption from metropolitical visitation. The see acquired its palatinate authority in early Norman days, and in consequence could not brook any subjection to York. But equally York was unwilling to have a suffragan occupying an independent position. When the question of visitation became everywhere acute, in the second half of the thirteenth century, Archbishop Giffard seized a good opportunity of testing his right and power over the Convent and Chapter of Durham. The see was vacant (1274) and he was due at Durham in order to confirm there the election of Robert of Holy Island as bishop. On the previous day then he held a visitation in the Chapter House, inquiring in a somewhat informal manner of the prior and four or five others. This passed off without protest. It was the thin end of the wedge. In 1279 Archbishop Wickwane succeeded to the metropolitical see, and he determined to push matters further. The year following he sent to the prior, in the bishop's absence, a mandate for a visitation on June 25. Preparations to resist were made by both Bishop and Convent; the prior, however, incautiously put forward among his grounds of refusal that the archbishop had not yet visited the bishop; and promised to submit to the visitation if the bishop submitted. The bishop then went abroad, leaving the prior to sustain the brunt of the attack. After a vain attempt to secure a postponement of the visitation the prior formally appealed against it. The archbishop arrived on the appointed day, but was prevented by the soldiers of the Bishopric from entering the Cathedral. So in the open air he fulminated excommunications and a fresh summons. A day or two later, as his commissaries came to the town to conduct the visitation, they were stopped upon the bridge. They went to the church of St

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Nicholas outside the walls: and there, in spite of a further protest and appeal, they cited the parties, excommunicated them, and laid the church under an interdict. The appeal to Rome produced a pretty legal tangle, and dragged on till 1283. Just as arbitration seemed likely to settle the matter the bishop died. The archbishop seized the opportunity of the vacancy, and tried again to visit. Being barred from access to the cathedral, he went, as his commissaries had done on the former occasion, to St Nicholas' Church: but there he was set upon by the young men of the town, who cut off his horse's ear and compelled him to beat a very ignominious retreat in fear of his life.<sup>1</sup>

The archbishop hoped that the new bishop-elect, who was none other than the imposing Anthony Bek, would take his part; and after performing his consecration he called on him to excommunicate the Chapter. Bek refused, and so matters went on unsettled till Archbishop Wickwane's death (1285), the Bishop being meanwhile embroiled in some controversies with the convent on other points.<sup>2</sup> Then the case was settled, so far as visitation *sede vacante* was concerned, by an acknowledgement of the right of the metropolitan.<sup>3</sup> The other question dropped for the moment. Bek was soon engaged in fighting Archbishop Romain about another point—his relation as bishop palatine to the Northern Convocation now coming into being.<sup>4</sup> But in 1292 on a fresh attempt at a visitation of the diocese of Durham, the two commissioners of the archbishop were imprisoned; and Bek justified his opposition by an appeal to his civil rights as palatine.<sup>5</sup> In the vacancy after his death (1311) Archbishop Greenfield visited the chapter,<sup>6</sup> and quiet seems to have reigned till the Archbishop and bishop de Beaumont quarrelled about jurisdiction over the churches belonging to Durham in the York

<sup>1</sup>Graystones, cpp. xv–xxi in *Historiæ Dunelm. Script. Tres.* (Surtees Soc.).

<sup>2</sup>One of his quarrels was concerned with the method of visiting the chapter, *Cal. Pap. Reg.* i. 589, &c.; and in connexion with it Boniface VIII gave a constitution (1302) which became the law upon the subject. See it in *Extrav. Comm.* i, 7, i.

<sup>3</sup>*Composicio* of 1286: *Hist. Dunelm.* Appx. No. LXXIII.

<sup>4</sup>Kitchin, *Records of North Conv.* Pref. xii–xiv.

<sup>5</sup>Lapsley, *County Pal. of Dur.* 53. Wilk., *Conc.* ii, 184, 267.

<sup>6</sup>Graystones, cap. xxx.

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Diocese.<sup>1</sup> When this was settled, the custom, which was by now well established, of holding a metropolitical visitation *sede vacante*, was kept up at the vacancy of 1333,<sup>2</sup> but no further contest took place until the cantankerous Archbishop Neville proposed a visitation of Durham in the summer of 1376 under cover of a letter from the pope. At this point the King intervened, forbidding the visitation as being contrary to the privileges of the palatinate.<sup>3</sup> In 1393 a forged bill came to Durham's assistance; but the forgery was soon discovered and declared.<sup>4</sup>

This was by no means the end of the struggle. The attempt at a metropolitical visitation of the Bishop and diocese was renewed at intervals, but without success, down to the seventeenth century, when Archbishop Harsnett's attempt was defeated in 1630. To-day Durham, though shorn of its palatine privileges and much reduced in grandeur, maintains a unique position of independence towards the metropolitan of the province.

A little later than Harsnett's defeat it is interesting to find a further instance of this claim to exemption from metropolitical visitation put forward, this time in the Southern province and by a cathedral chapter. It was in 1636, when the Dean and Chapter of St Paul's petitioned the Crown against being included in Laud's metropolitical visitation, alleging that there was no precedent for this. The allegation was certainly untrue, for the question came up and the papal decision was given against them in Boniface's time, as we have seen; and Peckham had included the Cathedral in his metropolitical visitation of 1279. The King's reply challenged the petitioners to produce any proof of exemption, and appealed to the canon law, prevailing where there was no such exemption, by which the metropolitan was bound to begin his visitation of each diocese with the cathedral church of the diocese. On these grounds the petition was dismissed.<sup>5</sup>

<sup>1</sup>This was an old bone of contention. See a *finalis concordia* of 1174 in Wilk., *Conc.* i, 476.

<sup>2</sup>Graystones, Cap. XLVIII.

<sup>3</sup>*Histor. Ch. of York*, III, 284.

<sup>4</sup>*Cal. Pap. Reg.* IV, 212, 464.

<sup>5</sup>Sparrow Simpson, *Registr. Stat.*, p. 1, referring to Dugdale, *Hist. of St Paul's*, p. 415.

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The method of metropolitan visitation cited in 1636 as prescribed by canon law was, no doubt, taken from the Decretal of Innocent, preserved in the Burton Annals,<sup>1</sup> which further defines the procedure already laid down in the Decrees that arose out of the Council of Lyons: for it is this and not the earlier document that directs the metropolitan in visiting some diocese other than his to begin with the Bishop and Cathedral Chapter. It does not seem, like the earlier Decretal of Innocent on the subject, to have found a place in the *Sext*: but it was well known in England as an English decision, and apparently the knowledge of it had not disappeared by the middle of the seventeenth century.

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In the sphere of diocesan visitation Grossetête was no less prominent than in the sphere of cathedral visitation. His predecessor, Hugh of Wells, had taken the lead in the recovery of the practice of diocesan visitation; a set of visitation articles issued by him (c. 1233) which is extant, is probably the earliest document of the kind issued in England.<sup>2</sup> It is quite possible that Grossetête's hand may be detected in this, for he was Archdeacon of Leicester at the time; and when he came to the see, his own proceedings followed the lines already laid down. Shortly after he became bishop he wrote (1236) directions to his archdeacons<sup>3</sup> as to some harmful errors which they were to make it their business to abolish, either by admonition or by canonical censures. Simultaneously he seems to have issued a set of visitation articles of his own, based on those of his predecessor.<sup>4</sup> These were not intended merely for the annual archidia-

<sup>1</sup>*Annales Monast.* (R.S.), i, 303.

<sup>2</sup>*Wilk. Conc.* i, 627, and *Hard. Conc.* vii, 234.

<sup>3</sup>*Epistolæ*, No. xxii. ed. Luard (R.S.), pp. 72-76. Cp. No. xxi, a similar letter about the fair at Northampton.

<sup>4</sup>These are not extant, but their contents may be deduced from the corresponding injunctions (see below).



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conal visitation: for, to the great surprise of all concerned, the bishop himself proceeded to go round the parishes of the diocese in person, a form of visitation which had entirely gone out of use. Since the Conquest at least such a methodical visiting of parishes was unknown: bishops had visited the monasteries in person: they had lived on their manors and moved from one to another: they had gone about in some degree to consecrate churches and so forth: and on the way they had given confirmation to any who presented themselves, or even made arrangements to meet them at some centres: but with this they had been content. A pastoral heart showed itself in St Hugh's custom of getting off his horse to confirm,<sup>1</sup> as it did later in St Thomas Cantilupe's habit of wearing his stole conspicuously over his dress while travelling, so as to make it easier for parents who had children to be confirmed to seek him out and identify him.<sup>2</sup> But pastoral anxiety had led no bishop until now to recover the custom of personal visitation of the parishes of his diocese.

The example caused much stir. In 1252 the bishop of Coventry and Lichfield followed suit, at any rate so far as the issue of a set of visitation articles was concerned;<sup>3</sup> and it appears that Archbishop Boniface had a similar series for his metropolitical visitation in 1253.<sup>4</sup> Already before that, in May, 1250, when he was at Lyons, Grossetête had explained his own action to the pope; urging that, desirable as this was, it was important that the pope should prevent it from abuse through greed of procurations. From his explanation we know how he had gone round the several rural deaneries collecting the clergy for visitation and the laity for confirmation, exhortation and confession: after sermons preached by himself to the clergy and by a friar to the people, two days were spent in hearing confessions and giving confirmation, then came the inquiries, and the

<sup>1</sup>*Vita Magna* (R.S.) Bk. III, cap. XIII.

<sup>2</sup>*Cantilupe Reg.* (edd. Griffiths and Capes), Intr. p. xlv.

<sup>3</sup>*Ann. Monast.* I, 296. This was Wescham: but his predecessor Pateshull had visited the diocese twelve years before (*Ann. Mon.* III, 152).

<sup>4</sup>*Ibid.* I, 307, and see below, p. 99.

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correcting of defects.<sup>1</sup> To see a bishop in person attending on such pastoral duties was in itself a new experience, and the whole visitation was doubtless a revival of piety, not merely an inquiry and an exaction of money.

Simultaneously Grossetête magnified the visitation of the monasteries. Monastic historians viewed these proceedings with terror and recorded them with bitterness and credulity: but they were needed. And if the bishop had not attempted to visit St Albans, in spite of its exemption, he would have had a better reputation with Matthew Paris, and so also with his readers. The attempt was a natural one for a zealous prelate to make: as we have seen, claims to exemption were set up by many large monasteries, contested, and shown to be inadequate: and it was only by such contests that the number of exempt houses was really determined, and kept as small as it was.

We have traced in brief outline the way in which the practice of visitation was recovered or developed in all its branches, largely through the influence of Grossetête, in the middle of the thirteenth century. The influence of this reform lasted on: the effect of it in diocesan visitation was no less than we have seen it to be in regard to the visitation of the cathedral, the province and the monastery. In the Episcopal Registers, which from this time onward become available as evidence,<sup>2</sup> the records soon become copious. Abuses and neglect no doubt continued: bishops continued to be non-resident to an indefensible extent, and the work of visitation was left solely to the archdeacons and deans. Or the archdeacons were boys and incompetent; and then some registers show an unusual closeness of immediate connexion between the bishop and the deans in administering the discipline of the diocese. Or perhaps both bishop and archdeacons failed, and in that case discipline went into abeyance.

<sup>1</sup>This description is not in the *Sermon* printed by Brown, *Fascic. Rerum Expet.* II, 250, but it is in *Anglia Sacra*, II, 347.

<sup>2</sup>They begin with the Rolls of Hugh of Wells, Grossetête's predecessor at Lincoln. None earlier are known; and it is quite possible that he was the first to introduce the custom of making a formal record of episcopal acts, basing it upon the orderly methods of the papal registry.

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But the system of visitation had been recovered: and it went on thenceforward till it took a new development in the crisis of the Reformation. We turn now from the history to review briefly the legislation on the subject.

### §22

The practice of visitation was not to any very large extent defined by formal law: and it is curious to observe how little legislation of a detailed or methodical nature there was in pre-Tridentine times. Such legislation as there was mainly dealt with the thorny subject of procurations. These were regulated in the Lateran Councils of 1179 and 1215; and the provisions passed at once into English canons and constitutions.<sup>1</sup> Constant renewals and reassertions and recastings were necessary: for the abuse of visitation for the purpose of money-making was constant: but there is no need to dwell on this side of the subject. In other respects the regulations of any sort are few, and we note that the archdeacons came in for a larger share of direction from the canonical legislation than the bishops.

For metropolitical visitation the guiding rule was found in the decretal already quoted of Innocent IV. This ordered that the archbishop should first fully visit his own chapter and city and diocese, at least gathering clergy and laity together at certain centres if he could not visit them more in detail. Then he was free to visit other parts of his province—his suffragans, the chapters, monasteries, churches, clergy and people, receiving procurations.<sup>2</sup> But he might not, without invitation, visit any part twice until he had visited the whole once. In subsequent visitations he was to visit by preference places that had previously been passed over. The method was to be as follows: first to set forth the

<sup>1</sup>E.g. Council of London (1200), canon 5.

<sup>2</sup>This was subsequently altered for England, as we have seen above (p. 82) but the earlier and general decretal naturally had more lasting effect than the modifications of it made in view of a particular dispute in England.

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Word of God, then to make inquiry as to the lives of the clergy, but not on oath: then to amend what needed amendment, or to punish what needed punishment. The rule next laid down, that he might receive procurations in kind but not in money: but this was amended by Gregory X and Boniface VIII: and their decisions form the rest of the Title on this subject in the *Sext*.<sup>1</sup>

For the ordinary diocesan visitation there were some few rules put together by Gratian in the second part of his *Decretum*.<sup>2</sup> the main points noted were the duty of annual visitation imposed by canon 8 of the Council of Tarragona in 516, the method of visiting by deputy as laid down by the 35th canon of the fourth Council of Toledo in 633, together with the procedure and inquiries defined by the Council of Braga in 572. All these conciliar decisions have already been mentioned in their historical place:<sup>3</sup> and it will be observed that the legislation is Spanish and mainly belongs to one period.

Some later English legislation comes next into question. The Council of London (1200), after rehearsing the Lateran canon about procurations, added that a visitation must first concern itself with spiritual matters, and inquiry must be made for a silver chalice, vestment, books and ornaments.<sup>4</sup> Thirty-seven years later Otho's constitutions recalled the bishop to the duty of visitation, for the purpose of preaching, consecrating churches, and remedying faults.<sup>5</sup>

The turn of the Archdeacons comes with the *Decretals*. Title *xxiii* of the first book was devoted to them: it contained one of the English decisions included in the collection of the year 1179 already mentioned, and it added other decisions, including two more of Alexander which were given in English cases. One only of the whole series bears upon the branch of archidiaconal duty which is here under consideration, namely, a warning of Alexander III to the Archdeacon of Coventry that he may not exact money fines, nor put people to the ordeal of fire or water, nor punish by suspension or interdict for the non-payment of exactions,

<sup>1</sup>*Sext*. Tit. *xx*.

<sup>2</sup>*Causa x*, quæst. i.

<sup>3</sup>Above, p. 38.

<sup>4</sup>*Hard*. vi, ii, 1959.

<sup>5</sup>*Ibid*. vii, 299, can. *xxii*

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nor, as a rule, visit his churches more than once in a year.<sup>1</sup> Taken all together, this does not amount to very much in the way of generally applicable legislation: but, in England at any rate, it was supplemented by local ordinances. Over and above the recurring regulations about procurations, which concern all visitors, from metropolitans to rural deans, we find a good deal touching the archdeacons in English canons and constitutions. The Legatine Council of London (1125) renewed the order<sup>2</sup> that Archdeacons must be in deacon's orders, and added that no one might hold two archdeaconries.<sup>3</sup>

When we reach the thirteenth century we begin the era of provincial and diocesan Constitutions: and find, both there and in the canons of councils, the effects of the great Lateran Council of 1215. In England the principal witness is the Oxford Council of 1222. It devoted several canons to defining the archdeacon's rights and duties in visitation. He is to see that there are no mistakes in the copy, which is in use, of the Canon of the Mass, and that the priests can say both it and the baptismal formula correctly and intelligently: he is to have an inventory made of the church goods: he is to inspect the books and ornaments year by year, and see that the church has been in no way defrauded.<sup>4</sup>

Otho's constitutions (1237) dealt with the archdeacon's visitation, as they did with the bishop's:<sup>5</sup> but without contributing any new feature. Some constitutions of an unknown English bishop of about the same time add the duty of inspecting the fabric:<sup>6</sup> a little later, in 1240, we find Walter Cantilupe in his diocesan constitutions dealing with the apparitors and minor officials of the archdeacons and deans—

<sup>1</sup>*Decr.* i, Tit. 23, c. vi.

<sup>2</sup>Of the Lateran Council, 1123, and the earlier London Council of 1102.

<sup>3</sup>*Hard.* vi, ii, 1126, canons 7 and 12. The text and meaning of the second are doubtful; but this account of it is borne out by the Council of London (1127) canon 8: *ibid.* 1132.

<sup>4</sup>Canons xxi-xxvii, *Hard.* vii, 120. These decrees of the Council are given in a fuller form as the Constitutions of Stephen Langton of 1222, *Provinciale*, pt iii, 1-9.

<sup>5</sup>*Hard.* vii, 298: can. xx.

<sup>6</sup>*Ibid.* 313.

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an act which we should judge from Chaucer's description of such officers was very needful.<sup>1</sup> Walter Kirkham, bishop of Durham, adds two further inquiries which are to be made, one as to the dedication and endowment of churches, and the other as to whether the altars are consecrated and marked with crosses.<sup>2</sup> A fresh duty fell to the archdeacons when Archbishop Peckham issued (1281) his summary of instruction to be given to the laity by the clergy; for they were to see that the instruction was duly given.<sup>3</sup> The bulk of the later orders on the subject add little, except further regulations about the never-ending grievance of procurations: but Meopham's Constitutions of 1342 add the graveyards and the manses to the list of things which the archdeacon is to inspect.<sup>4</sup> Forty years later Lollardy began to occupy the attention of all synods: and there is not much more forthcoming on the subject of visitations.

### §23

As soon as episcopal registers become available, there is ample documentary evidence, in some respects, about episcopal visitations.<sup>5</sup> It remains, therefore, to give some general

<sup>1</sup>*Ibid.* 339, cap. xxv. Cp. Boniface's Constitution, *ibid.* 544; Meopham's, *ibid.* 1651, etc. Richard of Chichester's Statutes of 1246 in Wilk. i, 690.

<sup>2</sup>*Ibid.* 489.

<sup>3</sup>Canon x of Lambeth, *ibid.* 865. See there also some legislation as to the Rural Deans: canon xii, etc.

<sup>4</sup>*Ibid.* 1649, c. vii.

<sup>5</sup>There are no visitation records in the earliest sets extant of episcopal Act-books, viz., the Rolls of Hugh of Wells, bishop of Lincoln (1209-1235) and Gray, archbishop of York (1215-1255). But they appear in the register of Grossetête, the next bishop of Lincoln, and in that of Giffard (1266-1279), the next archbishop of York, of whom registrarial records survive. Elsewhere we have the Exeter series of Registers from 1257-58, the Worcester series from 1268, the Hereford series from 1275, the Canterbury series from 1279. The opening volume of each of the above-mentioned series is now accessible in print. But the principal records of visitation were constantly kept on a separate roll or in separate books. See, for example, the note in Bronescombe's Register (f. 7, ed. Randolph, p. 280), *Visitacio in ecclesia de Brigdestowe, sicut in Rotulo Visitacionis plenius continetur*. Such books have mainly perished.

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account of the various documents which are connected with this part of the episcopal office.

The first document is the mandate which gives notice of the visitation, and if necessary inhibits the exercise of jurisdiction by inferiors during the visitation. The following is an early form,<sup>1</sup> issued by Archbishop Wickwane of York for the Deanery of Bulmer, 1279-80.

Quia decanatum Bulmere hac instanti die Martis proxima post festum S. Scholastice V. deo disponente apud Esingwald intendimus visitare, vobis mandamus firmiter injungentes quatinus rectores vicarios et capellanos parochiales dicti decanatus citari facias peremptorie, quod dictis die et loco coram nobis compareant, visitationem eandem secundum canonicas sanctiones admissuri: et per te vel eiusdem loci decanum die et loco supradictis de certis nominibus singulorum rectorum, de nominibus etiam ecclesiarum et earundem patronorum, de ordinibus cuiuscunque rectoris, de residentibus vel non residentibus, de nominibus habencium plura beneficia, de promotis etiam post Concilium qui tamen constitutioni in eodem Consilio edite in ordinibus recipiendis non paruerint, de nominibus ecclesiarum appropriatarum, et quibus, que etiam ecclesie sunt pensionarie, quibus et in quantum, nobis constare facias evidenter.

This mandate outlines the subjects of the bishop's inquiry, and therefore was probably not supplemented by any separate articles of visitation. A more general form<sup>2</sup> was used by the same bishop a year later (March 29, 1281) in visiting the archdeaconry of Richmond.

*Archidiacono Richemundie et eius officiali vel uni eorumdem.*

Cooperante dei adiutorio intendimus archidiaconatum Rychmundie subiicere celeriter visui corporali et ad incrementum morum et spiritualium virtutum votivis viribus visitare, etiam ad accessum accingimur et paramur: intime affectantes quod sic sancta diligencia vestra purificans precesserit sive purgans, quod pauca correccionem exigant in adventu. Gressus igitur vestros, cum ibidem venerimus,

<sup>1</sup>*Wickwane Reg.* (Surtees Soc.) p. 54.

<sup>2</sup>*Ibid.*, 116.

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nobiscum sicut condecet per vos et decanos locorum debite dirigatis, facientes per decanatus transitus nostri publice preconizari quod in confirmatione puerorum nullus propriam prolem teneat, nec masculus feminam, nec e converso; nec aliquis alterum teneat nisi ipse tenens fuerit confirmatus. Et vos officiales nobis loquamini utiliter et frequentius de progressu; quod nullatenus omittatis.

Here the bishop contemplates that the archdeacon will have done the bulk of the work beforehand, and that he himself will have little to do except confirm: so the only directions included in the mandate concern the sponsor of confirmation candidates. But there went with the mandate a schedule of visitation questions to which the archdeacon was to address himself, so as to be able to give replies to the archbishop. These, as representing the usual formal inquiries of a visitation are given here: they will be seen to be closely allied with the points mentioned in the earlier mandate printed above. They also correspond in many respects with some articles of inquiry, which Archbishop Giffard, Wickwane's predecessor, used for the diocese in 1275. The occasion, however, then was not a visitation, but a special inquiry by two commissioners: the ordinary questions were not included but some special inquisition was made into certain abuses.<sup>1</sup> Wickwane's Visitation articles are as follows:

1. De nominibus omnium ecclesiarum capellarum et vicariarum decanatum de Kendale et Lounesdale et de Amundernesse, et de quibus locis et de valoribus earundem, et que capelle habeant cimiterium baptisterium et ministeria cetera que incumbunt.
2. De nominibus eciam rectorum vicariorum et presbiterorum omnium in eisdem.
3. *Item*, de ordinibus rectorum et vicariorum huiusmodi, et quo tempore et ubi fuerint ordinati.
4. *Item*, qui et quot plura habent beneficia, que et ubi.
5. *Item*, de nominibus non residencium rectorum et vicariorum.

<sup>1</sup>*Reg. Giffard* (Surtees Soc.), p. 267. Plurality, Pensions, Appropriations, Absenteeism, criminous or married clergy, sacrilegious laity—these are the main topics included.



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6. *Item*, qui beneficiati fuerint post Concilium et qui ante; et qui post Concilium promoti infra annum sequentem non sint in presbiteros ordinati.

7. Quis sit etiam patronus huiusmodi ecclesiarum, et si ecclesie ipse sint quibuscumque pensionibus onerate, et quibus, et in quanto, et qua auctoritate efficiuntur forsitan indebite censuales.

8. *Item*, an consuevit esse vicarius alicubi ubi modo vicarius non est.

9. *Item*, de nominibus ecclesiarum appropriatarum, et quibus appropriate sint.

10. *Item*, de nominibus ecclesiarum dedicandarum, seu que alias reconciliande fuerint quoquo casu.

11. *Item*, de intrusoribus clericis vel laicis in dictis decanatibus ubicumque.

Hiis igitur exacte et indubitanter discussis et perscrutatis nobis citra terminum superius limitatum per vestras litteras patentes harum seriem continentes plenam et evidentem certitudinem rescribatis.

Ceterum citetis peremptorie omnes rectores et possessores detentores beneficiorum in dictis decanatibus quocumque nomine censeantur, necnon et vicarios presbiteros ecclesiarum et capellarum et ceteros ecclesiis qualiter cunque deservientes, quod sint coram nobis et nostris videlicet divisim, de decanatu de Kendale et Lonnesdale iij Kal. Maii apud Burtone, et de decanatu de Aumundernesse ij Kal. Maii apud Kellet, nostras exortaciones examinationes et correcciones debitas subituri. Et &c.

Further directions are given in other mandates of the same visitation to summon pluralists to show their dispensations; religious, who are in possession of parish churches, to show their titles; and beneficed clergy, who ought to have complied with the order of the Council of Lyons about ordination to the priesthood and have not, to receive censure.

Other forms of mandate belong to other forms of visitation. As a specimen mandate for a metropolitanical visitation Peckham's formula may be given, which he used repeatedly during his survey of the province 1280-3<sup>1</sup>.

<sup>1</sup>*Peckham Reg.* (R.S.), II, 531. This is the latest form: earlier forms have no mention of the requirement of the Council of Lyons.

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Frater J. permissione, &c. episcopo Cycestrensi salutem et sinceram in domino caritatem. Fraternitati vestrae notum facimus per presentes quod personam vestram atque ipsam ecclesiam vestreque civitatis et dioecesis clerum et populum, favente domino, intendimus visitare: quod eis curetis patefacere sine mora ut premuniti se prepararent visitationem nostram secundum sanctiones canonicas admissuri. Denunciari etiam faciatis ecclesias seu porciones ecclesiarum appropriatas habentibus seu in ecclesiis alienis aut parochiis pensiones vel decimas separatas percipientibus, ac universis rectoribus tenentibus in vestra dioecese et alibi plura beneficia curam habentia animarum, illis etiam qui post ultimum Lugdunense concilium beneficia ecclesiastica cum cura adepti se non fecerunt infra annum a tempore cure sibi commisse ad presbiteratus ordinem promoveri, quod jus si quod habent speciale super appropriatione perceptione et pluralitate huiusmodi, necnon causam legitimam de presbiteratus ordine, ut premittitur, non suscepto, cum per ipsos transitum fecerimus sub pena canonica peremptorie nobis ostendant. Proponimus autem ecclesiam vestram xvi Kal. Junii proximo venturo intrare et visitationem nostram circa personam vestram quam tunc ibidem adesse volumus, deo volente et cessantibus impedimentis legitimis, inchoare, extunc ad vestrum capitulum et alia loca vestre dioecesis prout opportunitas dederit processurus. De die vero receptionis presencium et qualiter fueritis executi premissa nobis dictis die et loco vestris patentibus literis harum seriem continentibus intimetis. Valete in Christo et Virgine gloriosa. Datum apud Mortelak', vii Id. Aprilis A.D. MCCLXXXII, ordinationis nostre v.

As an example of a mandate to a monastic house the following is taken from the same source.<sup>1</sup>

Frater J. etc. priori et conventui ecclesie Christi Cantuar. salutem. Quoniam in crastino Exaltacionis S. Crucis ecclesiam vestram tam in capite quam in membris

<sup>1</sup>*Ibid.* 1, 61.

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cessante impedimento visitare proponimus, ac mutue reformationis solatio perfrui, domino permittente; vobis mandamus quatenus ad predicte visitacionis necessaria preparantes vestros commonachos et confratres universos, ut prefatis loco et termino nobiscum intersint, peremptorie convocare studeatis, si quid in prescripta visitacione ordinatum seu provisum fuerit recepturos.

Datum apud Croynden, iii Kal. Sept. [1279].

Sometimes, as in Peckham's case, it seemed desirable to launch in advance a sentence of excommunication against hinderers of the visitation. But this was more necessary in the era of contested visitations during the second half of the thirteenth century than in later days. Such a document therefore did not become part of the regular series: and there seems no need to give a specimen. We may pass on therefore to note further points about the Visitation Articles, which have already been considered incidentally, and must now be directly noticed. The earliest forms have been mentioned in connexion with the development of visitation abroad, and some account has been given of the Frankish articles of the ninth century. In order to find anything of the same class in England we must come down to the twelfth century, when we encounter the Articles already mentioned as set out for Lincoln Diocese, probably under Grossetête's influence, in 1233. This document is the first of a group of closely allied documents. Some similar set of articles must have been used by Grossetête himself for his visitation articles: these are not extant, but the corresponding document, the Injunctions given after visitation, or Constitutions, is to hand; and it agrees not merely in contents and general plan but in detail and wording with (*a*) the Articles of 1233 and (*b*) the instructions given by Grossetête to his Archdeacons in 1236.<sup>1</sup> This group of documents includes also (*c*) some Lichfield Articles of Bishop Roger Weseham (1252), recorded in the Annals of Burton, and (*d*) a set of articles of the next year found in the same annals<sup>2</sup> and described as *Inquisitiones per singulas et universas dioeceses to-*

<sup>1</sup>*Epist.* xxi and xxii in R.S. edition.

<sup>2</sup>*Annales Mon.* (R.S.), i, 296, 307.

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*cius regni Anglie de vita et conversacione clericorum et laicorum.*

As this is the latest and fullest document of the group it will be the best one to cite as an example, noting how far it incorporates the earlier documents.

1. An aliquis laicus in parochia ubi degit extra matrimonium aliquam feminam cognoverit.

2. An aliquis laicus cum uxore alterius adulterium commiserit, vel aliquis alterius condicionis.

3. An aliquis laicus incestum qualitercumque vel stuprum commiserit, vel aliter quocumque modo super luxu carnis sue sive sorore sive filia sive alia quacumque consanguinea defametur.

4. An aliquis laicus frequentet domum cuiuscumque alterius qualiscumque condicionis sine causa rationabili.

5. An aliqui laici sint ebriosi vel tabernam frequentantes ex consuetudine vel usurarii quocumque genere usure.

6. An aliquis laicus recipiat in feudo suo liberam terram ecclesie ad firmam. Cp. No. 38  
*inf.*

7. An aliquis laicus recipiat in feudo suo decimas alicuius ecclesie. Cp. No. 38  
*inf.*

8. An redditus assignati ad luminaria vel alios certos usus ecclesie convertantur in usus rectoris vel vicarii. No. 15 Linc.  
Arts (1233).

9. An laici alicubi compellantur ut die pasche post missam communicent et offerant. No. 16. *ibid.*

10. An aliquis laicus vel alius, cuiuscumque condicionis vel fame, perierit conscio rectore vel vicario loci.

11. An aliquis laicus sit notabiliter superbus vel notabiliter invidus vel notabiliter avarus vel notabiliter accidiosus vel notabiliter rancorem nutriens vel notabiliter gulosus vel luxuriosus.

12. An aliqui laici mercata vel ludos seu placita pecuiliaria fieri faciant in locis sacris, et an hec fuerint prohibita ex parte episcopi. No. 25. *ibid.*

13. An aliqui laici elevaverint arietes vel fieri faciant scothales vel decertaverint de preeundo cum vexillis in visitacione matricis ecclesie.<sup>1</sup> No. 30. *ibid.*

<sup>1</sup>Fuller details on these points are in Grossetête's instructions to his archdeacons. The difficulty as to processions recurs in the Injunctions of Edward VI. For the drinking bouts, or *scotallae*, see also Archbishop Stephen's Constitution in Lyndwood, *Provinciale*, III, 9: Wilk. i, 530.

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- Cp. No. 32.  
*ibid.* and 51  
below.      14. An aliquis laicus vel laica teneat in hospicio concubinam alicuius hominis cuiuscumque condicionis, et qui sunt meretricantiam et adulterantium receptores.
- Cp. No. 33.  
*ibid.*      15. An aliquis infirmus caruerit aliquo sacramento ex negligentia sacerdotis legitime vocati.
16. An aliquis laicus vel alius cuiuscumque condicionis decesserit intestatus vel sine participatione sacramentorum per negligentiam sacerdotis vel rectoris.
- No. 36 *ibid.*      17. An aliquae ecclesie recenter fuerint sine sacerdote.<sup>1</sup>
- No. 40 *ibid.*      18. An aliquae ecclesie restant dedicande;
- No. 41.      et an aliqua sit diruta sine licentia episcopi post concilium Londoniense<sup>2</sup>.
- No. 42.      19. An Iudei morentur alicubi ubi non consueverunt morari.
20. An aliqui laici clandestinum contraxerint matrimonium in casu a jure non concesso, bannis ecclesie omissis.
- No. 45a.      21. An laici sint pertinaces ut stent in cancello cum clericis.
- No. 49.      22. An aliquis laicus celebrari faciat in aliqua capella sine licencia episcopi.
23. Qualiter laici famuli et ministri personarum abbatum priorum priorissarum et aliarum personarum et religiosorum in suis grangiis seu mansionibus seu possessionibus se habeant.
- Cp. Lichfield  
Arts (1252).      24. Inquiratur diligenter de taxatione cuiuslibet ecclesie et quantum rector uniuscuiusque ecclesie dedit ad subsidium domini pape.
- No. 1 Lin-  
coln Arts  
(1233).  
2a      25. An aliqui rectores vel vicarii vel sacerdotes sint enormiter illiterati.<sup>3</sup>
26. An sacramentum eucharistie portetur ubique ad infirmos cum debita reverentia, et sicut decet custodiatur.

<sup>1</sup>An aliquae ecclesie sint vel fuerint retente sine sacerdote. Lincoln Art. of 1233.

<sup>2</sup>The set of 1233 has "post Oxoniense concilium." The canons of this council published in a fuller form as Archbishop Stephen's Constitutions (1222) have inspired many of the above articles. For this one see *Provinciale*, III, 8. The Council of London fifteen years later went over much of the same ground and its work resulted in the Legatine Constitutions of Otho.

<sup>3</sup>From this point onward the document runs closely parallel to the Lincoln Articles.

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27. An aliqui de predictis et alii infra sacros ordines 3.  
constituti sint incontinentes, et quo genere incontinencie.

28. An incontinentes sint correcti per archidiaconum 4.  
loci, et quoties unusquisque correctorum sit correctus,  
et qualiter.

29. An aliqui convicti vel confessi super incontinencia 5.  
obligaverint se ad resignacionem beneficii vel aliam penam  
canonicam si recidiverint: et si quisquam eorum post 6  
obligacionem recidiverit.

30. An aliqui beneficiati vel in sacris ordinibus sint 7.  
uxorati.

31. An aliqui clerici frequentant ecclesias monialium 8.  
sine rationabili causa.

32. An aliquis clericorum in sacris ordinibus teneat 9.  
aliquam sibi cognatam vel aliam de qua oritur mala suspicio.

33. An aliqui sint ebriosi vel tabernas frequentantes 10.  
vel negotiatores vel usurarii vel pugnatore vel luctatores  
vel alio vitio notati.

34. An aliqui sint firmarii, dantes et recipientes ad  
firmam ecclesias vel vicarias sine licencia episcopi.

35. An aliqui sint vicecomites vel iusticiarii seculares, 11.  
vel teneant ballivas a laicis unde obligentur eisdem ad  
racionia.

36. An aliqui rectores faciant pactum cum sacerdotibus 12.  
suis annuis ut preter stipendia a rectore recepta possint  
ab aliis recipere annualia et tricennalia.

De simoniace ingressis et ordinatis.

37. An aliquis sacerdos parochialis non habeat a 13.  
rectore sufficientem sustentacionem.

38. An aliquis rector vel vicarius edificaverit in laico  
feudo vel cemeterio de bonis ecclesie, vel in laico feudo  
decimas reponat.<sup>1</sup>

39. An aliqui portent arma vel non habeant tonsuram 18.  
et habitum congruentem.

40. An aliquis habeat plures curas animarum sine dis- 19.  
pensatione.

<sup>1</sup>There is no equivalent of this in either of the preceding sets of articles;  
but it corresponds with No. 20 of Grossetête's Constitutions, and is based on  
canons of previous councils.

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20. 41. An aliquis rector vel vicarius sit filius proximo administrantis.
21. 42. An aliquis sacerdos extorqueat pecuniam pro penitencia vel aliis sacramentis, vel iniungat penitencias lucrativas.
22. 43. An diaconi audiant confessiones vel ministrent alia sacramenta solis sacerdotibus concessa.
23. 44. An aliquis rector vel vicarius non<sup>1</sup> faciat residentiam in suo beneficio.
24. 45. An aliqua ecclesia non habeat clericos seu clericum honestum secundum facultates ecclesie.
26. 46. An cetera sint ubique clausa, et ecclesie decenter edificate et ornate, et ornamenta et vasa sacra rite custodita.
27. 47. An aliquis sacerdos celebret de aceto.
28. 48. An aliqui beneficiati audiant vel doceant leges seculares.
49. An fiant caragia diebus dominicis vel festivis, et per quos.
29. 50. An canon misse sit ubique rite correctus.
32. 51. An aliquis laicus seu clericus teneat in hospitio concubinam clericum: et ubi concubinarum sint receptacula.
47. 52. An aliquis sacerdos bis celebret in die nisi in casibus concessis, et nisi in propria ecclesia.
35. 53. An aliqui religiosi appropriaverint sibi aliquas decimas vel ecclesias vel huiusmodi: vel aliqua pensio vel portio sit religiosis adaucta sine episcopo loci.
37. 54. An aliqui vicarii faciant se rectores, vel e converso.
38. 55. An aliqui illegitimi cum quibus non est dispensatum habeant ecclesiastica beneficia vel sint in sacris ordinibus constituti.
39. 56. An aliqui se gerant rectores vel vicarios qui non sunt per episcopum instituti.
40. 57. An superaltaria sint honesta et non molantur super ea colores.<sup>2</sup>

<sup>1</sup>The Lincoln Articles add here, "sit in ordine quem exigit sua cura vel non," thus enforcing Canon 32 of the Lateran Council of 1215.

<sup>2</sup>The Lincoln document adds, "et que ecclesie sint dedicande."

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58. An adulteria et crimina publica et notoria laicorum 43.  
sint rite per archidiaconum correcta.

Et an aliquis contraxerit matrimonium in casu non  
concesso.<sup>1</sup>

59. An singulis decanatibus statuti sunt certi peniten-  
ciarii rectorum et vicariorum et sacerdotum, et qui sint.

60. Qui sacerdotes sint ordinati in Hibernia vel alibi 45b.  
extra hunc episcopatum, et unde oriundi, et in quibus locis  
hactenus ministraverunt, et per quem licenciati sunt ad  
celebrandum.<sup>2</sup>

61. An singulis archidiaconatibus sint sufficientes peni- 44.  
tenciarii episcopi.

62. De vita et honestate archidiaconorum decanorum 46.  
et clericorum qui ministrant in ecclesiis.

Et de ministris et famulis personarum et aliorum.

63. An aliqua anachoreta facta fuit sine assensu epis- 48.  
copi.

64. An alicubi morentur monachi vel religiosi in 50.  
grangiis sive possessionibus eorum, et quomodo se gerunt  
iidem monachi in spiritualibus et cuius sint fame.<sup>3</sup>

65. An decanus et alii conspiracy fecerint ante  
adventum episcopi.

66. An aliqui archidiaconi plus receperint ratione  
procuracionis quam recipere debuerunt secundum con-  
stitutionem novam.

67. Inquirendum est de executoribus testamentorum an  
bene et fideliter se habuerint in execucionibus faciendis,  
et si de dictis execucionibus solverint compotum episcopo.

68. An alicubi teneantur mercata diebus dominicis.

Cp. Lich-  
field Arts  
(1252).

It will be noticed that there is very little here that is not  
in the Lincoln articles; in fact, only five articles out of  
fifty are fresh.<sup>4</sup> The Lichfield articles, which are the shortest  
of the three, are also almost wholly included: and the only

<sup>1</sup>This inquiry is not in the other articles.

<sup>2</sup>The mention of Ireland and the inquiry as to origin and previous  
ministry are not in the Lincoln form.

<sup>3</sup>The Lincoln form is longer.

<sup>4</sup>Nos. 14, 17, 31, 34.



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points of special note included in the other sets but not in this are:

No. 14. *ibid.* An aliqua libera terra de eleemosyna ecclesie laicis tradatur ad firmam.

No. 34. *ibid.* An aliquis capellanus vel alius convertat chrisimalia in usus seculares,

—two articles common to both the other documents: an inquiry at Lincoln as to any who favour actors or dicing: and an inquiry at Lichfield as to fortune telling. Similarly nearly all the matters are dealt with in Grossetête's Injunctions or Constitutions: but those are in some ways more extensive, for they touch also upon parochial instruction in the elements of the faith, and devotion in the conduct of services, adding a caution against the overlaying of infants and a prohibition of the Feast of Fools.

Articles of inquiry were also sent previous to a visitation in the case of some monasteries: but such were of more local and special interest, and no one specimen can be given that would be in any way representative of the class as a whole. But an early set issued in 1259, apparently for general episcopal use, will be found in the Appendix.<sup>1</sup>

We come now to the visitation itself, which produces the document called the *Acta*, containing more or less full minutes of all the proceedings and very generally reciting the documents concerning it. The Acts of a diocesan visitation are necessarily voluminous in any full form, and relatively uninteresting: they contain long lists of names of clergy and church officers, with *comperta* or statements ascertained about them. They will note any special dispensations shown, call attention to any *detecta* or matters revealed, especially such as call for reform or punishment in the parishes, churches, ornaments, books, clergy, church-officers and laity generally. They may also include the record of legal transactions, either such as arise specially out of the visitation, or ordinary routine business (like the proving of wills), which has to be done in the visitation because meanwhile other courts are closed and jurisdiction inhibited.

<sup>1</sup>See p. 186.

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It is not very feasible to give a specimen of such *acta* which will at all adequately represent this class of document. Such acts make whole volumes not individual documents or even groups of documents.<sup>1</sup> It is a curious fact that the earliest Acts available of parochial visitations are not those of archbishop, bishop or archdeacon, but of the dean visiting the peculiars of the cathedral. The *Osmund Register*<sup>2</sup> has some visitations of the prebendal churches of Salisbury Cathedral in 1220. Some, chiefly of a slightly later date, concerning the peculiars of the Chapter of St Paul's have also been printed.<sup>3</sup> In all cases the procedure is much the same. St Paul's had a set of articles of inquiry into the churches, manors and farms which the editor dates *circa* 1320: but the earliest Acts range from 1249-1252, and were probably conducted without articles, and with a less detailed inquiry than a set of articles presupposes. The early visitations touch mainly the business side of the question, while the articles call attention to the moral side as well.

The main feature of the Acts in these cases is, as a rule, the inventory of the ornaments, vestments and books of the church: this was probably made beforehand, and exhibited at the time together with other documents, charters, privileges, etc. Further, the financial arrangements are described: the fabric is surveyed, and next the cemetery and baptistery: the lands and other sources of income are reviewed, including the manse and the houses and holdings of tenants. The Dean of Salisbury dealt faithfully also with the clergy, or at least with the chaplains and other subordinates: he found many of them unable to explain the Latin Canon of the Mass or other parts of the service, to say the psalms by heart, as was expected of them, or to sing the music of the services. These he pilloried in the Acts as *sufficienter illiteratus*, and the most inefficient were forbidden to officiate any more.

<sup>1</sup>A Visitation book of the Archdeaconry of Winchester of 1543 is to be seen in Brit. Mus. MS. Add. 12483.

<sup>2</sup>(R.S.) ed. Rich Jones.

<sup>3</sup>There are several sets: see Hale, *Domesday of St Paul's of 1222* (1858), Camden Soc. vols. LIII and LV; *Archæol.* LV. 282. For the method of visitation see the Statutes (Ed. Sparrow Simpson, p. 96).

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The following outline of the visitation of the church of Sonning and its chapels will give a sketch of the Acts and their form and contents:<sup>1</sup>

*Inventarium factum apud Sunning, A.D. MCCXX.*

Ecclesia S. Andree dedicanda et reficienda.

[The Vestments: inventory and note of defects.]	
[The Books: do	]
[The Ornaments: do	]

Uxor Johannis Paucot dedit lapidem ad emendandum altare S. Joannis: et Vitalis vicarius cepit illum lapidem et posuit in altari suo apud Rotescomb.

Vitalis vicarius perpetuus, percipiens nomine vicarie sue obventiones altaris in argento et linum et lanam et caseum et secundum legatum:<sup>2</sup> et profert cartam Jordani decani in hec verba. [Charter of appointment follows.] Habet etiam insuper cartam Joscelini episcopi et capituli Sarum de confirmatione et Huberti episcopi.

Sunt ibi Capelle. (1) Capella de Erleg, Thome militis, que est de S. Bartholomeo, in qua ministravit Willielmus Capellanus, qui fecit W. decano Sarum (the visitor) apud Sunning canonicam obedienciam.

(2) Item, est ibi alia capella que est Joannis de Erleg, que est de S. Nicholao, in qua nullus ministrat.

(3) [Sindleshaw with a charter of privileges cited].

(4) Rothescamp... habet baptisterium sed non cimiterium. Nulla terra pertinet ibi ad capellam nisi quantum datum fuit in dedicacione cimiterii. Hec sunt ornamenta capelle. . . .

Isti sunt libri . . . . Domus quas presbiter solebat inhabitare iuxta cimiterium dirute sunt et confracte. Cancellum renovatum per Vitalem, et deficiunt ibi fenestre, et non est crista super novum opus. Baptister-

<sup>1</sup>*Reg. of St Osmund* (R.S.) 1, 275. With this may be compared the interesting Acts of the Visitation, by the Dean of York, of his peculiars Pocklington, Pickering and Kilham, 1568-1602, in *Yorks Archæol. Journ.* (1905) xviii, 197-232, 313-341.

<sup>2</sup>i.e. The second best chattel left at death.

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ium ligneum et ecclesia discooperta. Et capellanus qui ibi est recipit omnes obventiones preter garbam: recepit etiam a Vitali duas summas siliginis.

(5) Wokingeham. . . . Oleum et crisma percipit modo apud Rading. Magister Hamo tenet dictam capellam de dono Ricardi decani simul cum capella de Sandhurst, reddendo unam marcam decano et duas libras cere ecclesie de Sunning in festo S. Andree: et reddit dictam marcam ad pascha et ad festum S. Michaelis. Terram ecclesie tenet Radulfus Ruffus, et dum vixerit tenebit secundum cyrographum confectum coram justitiariis domini regis itinerantibus: quod cyrographum est. . . .

Item, est ibi capellanus annuus Philippus nomine qui reddit M. Hamoni pro dictis capellis decem marcas per annum.

Isti sunt libri. . . .

Debet unam marcam decano singulis annis per septennium ad fabricam: termini solutionis decem marcarum pascha et festum S. Michaelis. Hec sunt ornamenta. . . .

(6) Herst. . . . Non est capella dotata aliqua terra neque vicarius mansionem habet in fundo ecclesiastico quia capella fundum non habet. Johannes qui tenet capellam habuit cartam Jordani decani et capituli, et tradidit eas in manum A. decani, et ipse retinuit eas et imposuit ei firmam decem marcarum, que videtur ei intolerabilis. Item, suscepit ordinem subdiaconi et diaconi ad titulum illius ecclesie. Item, est ibi capellanus annuus Nicolaus nomine.

Hii sunt libri. . . .

Hec sunt ornamenta. . . .

Nulla terra pertinet ad capellam. Infra ambitum cimiterii est parvum horreum in quo preceptum est vicario quod reponat decimas suas. Campanarium decidit. . . . Baptisterium marmoreum bonum.

(7) Sandhurst. . . .

(8) Edburghfeld. . . .

[Grant to Sunning recited.]

[The reeve and tenants at Sunning sworn as to their holding.]

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[Charters inspected and confirmed and further documents.]<sup>1</sup>

\* \* \* \* \*

*Memorand. de actis per Willielmum decanum Sarum apud Sunning, prout infra sequitur in hoc folio et sequenti.*

*Acta in Capitulo quod Willielmus decanus Sarum tenuit apud Sunning, anno gratie MCCXXII<sup>o</sup>, feria sexta proxima ante festum beati Martini.*

W. decanus invenit plures sacerdotes ministrantes in parochia sua de Sunning, quorum nullus fuit vel sibi vel alicui de suis presentatus. Requisitum fuit ab illis per quos et sub quibus ministrabant, quod non poterant ad decanum accedere, quia longe ab eis agebat, et petierunt quod modo possint ipsi suos capellanos presentare, et capellani obedientiam et fidelitatem jurare. Decanus annuit dummodo hoc fieret sub probatione et ordinis et literature.

Vitalis, presbiter, vicarius perpetuus de Sunning, presentavit capellanum quem secum habet, nomine Simonem, quem modo retinuit usque ad festum S. Michaelis. Requisitus idem Simon de suis ordinibus, dicit quod apud Oxoniam recepit ordinem subdiaconi a quodam episcopo Ybernie, Albino nomine, tunc vicario episcopi Lincolniensis. Item ab eo recepit ordinem diaconi. Item ordinem presbiteratus ab Hugone modo Lincolniensi episcopo, transactis quatuor annis. Probatus fuit de evangelio dominice prime in Adventu, et inventus est minus habens, nec intelligens quod legeret. *Item* probatus fuit de canone missæ, *Te igitur, clementissime Pater*, etc. Nescivit cuius casus esset *Te*, nec a qua parte regeretur. Et cum dictum esset ei, ut diligenter inspiceret que pars posset competentius regere *Te*, dixit quod *Pater*, quia omnia regit. Requisitus quid esset *clementis-*

<sup>1</sup>Here follow other visitations. The work at Sonning is resumed later in 1222, at p. 304.

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*sime*, vel cuius casus, vel qualiter declinaretur, nescivit. Requisitus quid esset *clemens*, nescivit. Item, idem Simon nullam differentiam antiphonarum novit, nec cantum ympnorum nec etiam de illo *Nocte surgentes*: nec aliquid scivit de officio divino vel psalterio cordetenus, memoriter scilicet. Dixit etiam quod indecens ei videbatur quod probaretur coram decano, cum iam esset ordinatus. Requisitus super quo fuisset quando ordinem presbiteratus accepit, dicit quod non meminit. Sufficienter illiteratus est.

[Wokingeham, chaplain approved and not examined.]

[Herst, chaplain young, ignorant, examined, refused to reply, and was suspended.]

[Erburghfeld, chaplain examined, totally ignorant, cannot read or sing: an old priest also examined, incapable and debarred from ministering.]

[Sandhurst, chaplain cannot answer questions or sing.]

[Rotiscamp, the same sort of chaplain.]

Preceptum est Vitali ut bonos capellanos inveniat et ibi et apud Sunning, vel decanus capiet beneficia in manus suas.

The Acts of the visitation of a cathedral chapter or of a monastic house are much more restricted. All takes place in one spot and concerns a relatively small number of people. Moreover there is followed, as a rule, a more definite plan of proceedings; which, though apparently resting on custom only, is found in many places in a fairly uniform scheme. The general course of a capitular visitation may be seen from an outline of the full acts of the visitation of the cathedral of Chichester by Bishop Robert Rede in his first year, 1397, as recorded in his Register.

The Bishop at his arrival on June 4 at the west door of the cathedral was solemnly received by the cathedral body; a respond was sung and the Bishop was censed by the Dean and Treasurer. Then all proceeded to the High Altar, where the Bishop prostrated himself, the Dean said a Collect, and the kiss of peace was exchanged between the Bishop and the Dean and canons. After a sermon an adjournment was

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made to the Chapter House, where the Dean certified that he had duly according to the mandate cited the persons concerned to the visitation. Then some of the dignitaries made their oath of canonical obedience; the titles to benefices and letters of orders were exhibited; and the Dean and residentiary canons were examined by the bishop as to matters calling for reform. Eight points were brought formally to the bishop's notice, besides one small point of ceremonial. There was some reluctance about the oath-taking: the point was further discussed at an afternoon meeting on the same day, and the oaths taken by the rest at an adjourned meeting on June 6. The main proceedings were continued on July 9, when the schedule of the cathedral body was given in to the Bishop, and the Vicars were sworn and examined: they had nothing to depose. So the visitation ended; and the Bishop went on to visit the clergy and people of the city of Chichester, being under the Dean's ordinary jurisdiction, and therefore visited in conjunction with the cathedral and not in the usual way as a normal part of the diocese.

This visitation was unusually simple. It is more common to find the process complicated by further proceedings. Perhaps there is more formal inquiry, and articles are issued: perhaps there are more defects, and consequently directions or injunctions are issued for their reform: perhaps the bishop does not himself perform the visitation (or some part of it), and a commission therefore is issued to enable others to act for him: perhaps there is difficulty in securing the presence or representation of those subject to the visitation, and therefore they have to be specially cited, and perhaps excommunicated for their contempt: then, it may be, their proxies come forward and are examined and allowed, and then the excommunication is removed. Perhaps again there are legal disputes in process and these blocked by appeals to Rome; or the defects are personal and certain individuals have to be dealt with. Such are some of the complications which come in at times and increase the business and the bulk of the records and documents.<sup>1</sup>

<sup>1</sup>See a series of visitations in *Bishop Rede's Register*, ed. Deedes (for the Sussex Record Society viii), part i, pp. 98-130.

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We pass now to consider the orders which result from a visitation, directive as to future reform. These may be Injunctions, which properly speaking are orders given for the enforcement of what is already enforceable. If on the other hand the bishop's requirements go beyond what he already has authority to enforce, he must, strictly speaking, obtain sanction for them. He may bring them before his synod, and so bring them out with synodical sanction as Constitutions for the diocese: or if he is dealing with a chapter or college which has some measure of independent status, he may obtain the consent of the body, and they will then become Statutes.

These three terms, Injunctions, Constitutions and Statutes, are not always used strictly, nor are they confined necessarily to documents which are the outcome of visitation; but the distinctions above drawn hold good, apart from the terminology; and it is important to lay hold of them.

The earliest extant injunctions belong to a monastic visitation. When St Hugh of Lincoln visited the priory of Nun-Cotun he gave the following orders.

1. *Advertentes igitur multitudinem monialium ampliore quam sustinere valeant domus illius facultates, habita deliberatione, statuimus cum consensu Magistri Priorisse et conventus, quod congregatio monialium de cetero trigintarium numerum non excedat, sororum numerus sub denario concludatur, duodecim fratres conversi ad officia ruralia sint ibidem exercenda.*

2. *Magister capellanus cum duobus capellanis tantum ad divina deputentur adimplenda.*

3. *Nulli vero religionis habitus in eadem domo tribuatur donec minutus fuerit presens conventus ad numerum pretaxatum, nisi propter manifestam domus utilitatem, et hoc ex speciali licencia dioecesani.*

4. *Sigillum domus sub custodia Magistri Priorisse et monialis ad hoc communiter electae, cuius religio fuerit et discrecio approbata, sub clavi triplici reservetur: nec ali-*



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quod scriptum inde signetur sine consciencia totius capituli vel maioris vel sanioris partis eiusdem.

5. Redditus omnes, instaure, proventus quicunque singulis annis redigantur in scriptum, quod Prioris et Subprioris et ceteris quatuor de melioribus et prudentioribus, a toto capitulo vel maiori ac saniore parte communiter electis, tradatur custodiendum.

6. Magister et procuratores domus totam pecuniam domus in denariis vel huiusmodi ex quacunque causa domui suae provenientem, cum coram eisdem numerata fuerit, sub sigillo Magistri signatam ipsis tradent: quam eedem ad negocia domus expedienda, quociens necesse fuerit, et quantum opus fuerit, sub fidei testimonio tam Magistri quam aliorum sine difficultate liberabunt: et residuum sigillo Magistri signatum iterato reponent.

7. Singulis autem mensibus eedem sex compotum audient de simplicibus eiusdem domus expensis.

8. Et quoniam abdicatio proprietatis professioni religiosorum est annexa, firmiter inhibuimus ne qua vel quis in eadem domo post susceptum religionis habitum aliquid proprium habere presumat, sed sint eis omnia communia.

9. Eodem tamen pane tam moniales capellani fratres et sorores quam hospites vescantur, et potum habeant eundem; excepto quod infirmorum necessitati prout opportunum fuerit delicatius provideatur.

10. Quia vero per frequentiam secularium quies religiosorum turbari solet, prohibuimus ne vir vel mulier recipiatur in habitu seculari moram facturum in domo memorata, nisi forsitan hospitalitatis gracia quis ibi pernoctaverit.

11. Item ne quis vel qua, sive secularis persona sive religiose professionis aliunde veniens, cum sola moniali solus vel sola loquatur, sed honesto testimonio tali quod sinistra careat suspicione, et cum licencia secundum regulam suam ab hiis que presunt obtenta.

12. Preterea quia religiosi et presertim in sexu muliebri discurrere vel vagari modis omnibus est inhonestum, constituimus ne soror vel monialis apud grangiam moretur causa nutrimentorum animalium vel alia qualibet occasione.

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13. Moniales eciam causa visitandi proximos aut parentes nullatenus extramittantur ex earum sola voluntate vel levi qualibet occasione; nec tandem ullo modo sine Magistris et Prioris licencia speciali et maxima et cognita necessitate.

14. Quia simoniaca pravitas plures in errores et interitum adduxit, animarum saluti providere volentes districte prohibuimus ne vir vel mulier pro pecunia vel re qualibet temporali recipiatur unquam ibidem ex pacto.

Sub anathematis interminatione precipientes quod omnia premissa salubriter a nobis constituta firmiter ab omnibus utriusque sexus in eadem domo servantur impetuum.<sup>1</sup>

These are the first of a long series of extant injunctions given as the result of the visitation of religious houses. It extends down to the period at which the Reformation documents begin; and in Vol. II, Nos II and VI, we have the latest of the series, in some injunctions for St Mary's at Worcester, and others for the notorious Augustinian house at Wigmore. Injunctions for a diocese were not so common: matters of small importance were dealt with on the spot or by the usual processes of the courts: matters of greater importance were embodied in Constitutions, and published in that form by the bishop with the concurrence of his diocesan synod or by the metropolitan with the concurrence of the provincial synod. There is a long series of such Constitutions both diocesan and provincial, made either in conjunction with, or apart from visitation, ranging from the middle of the twelfth century onward,<sup>2</sup> but belonging for the most part, so far as diocesan Constitutions are concerned, to the thirteenth century. The Constitutions of the Archbishops of Canterbury are well known from their forming, together with the Legatine Constitutions of Otho (1237) and Otto-

<sup>1</sup>Dugdale, *Monast.* v; 677.

<sup>2</sup>The earliest extant example is a curious document issued by William FitzHerbert, archbishop of York (1153-1154), with the consent of his chapter, which deals with two points, the care of churchyards, and ecclesiastical dilapidations. See Wilk. *Conc.* ii, 425. The rest of the series is to be found for the most part also in that collection.

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bon (1268), the basis of Lyndwood's *Provinciale*. Prescriptions when published in this form, whether as the outcome of visitation or not, belong rather to the category of canons than that of injunctions, and therefore need not be discussed here. Injunctions, proper, for a diocese or province are not forthcoming until episcopal registers have become available. The earliest set to which reference can be made is that issued by Walter Gray, archbishop of York (1215-1256), to the province at his visitation, perhaps in 1250. The whole seems not to be extant in his Register or elsewhere, but parts of it are found elsewhere dealing with two points in dispute between parson and people, (i) the provision of the necessary ornaments of the church and property of the benefice, and (ii) the method of levying tithes and other church dues.<sup>1</sup> The document is called at the beginning a *Decretum* and is referred to later on as a Constitution,<sup>2</sup> so it is at best a dubious example of Injunctions.

For a clearer example it is necessary to turn to a document which represents the dealings of the vigorous friar, Archbishop Peckham, with his own diocese of Canterbury, in the form of eight "articles" enjoined on all rectors, vicars and curates under his authority in 1287.

1. Primo quod faciant ecclesiastica officia cum reverentia et decentia qua poterunt per honestos ministros opportunis temporibus continue celebrari.

2. Secundo quod provideant fideliter gregi sibi commisso in spiritualibus, utpote in predicatione Verbi Dei et sacramentis ecclesie dispensandis, et specialiter in confessionibus audiendis: et ubi non sufficiunt ad hoc, vocent in sui adiutorium viros sanctos ad hoc specialiter deputatos.

3. Tercio quod pauperibus et egenis precipue cure sue in corporalibus necessitatibus provideant iuxta quod sufficiunt ecclesie facultates, saltem de his que supererunt suis necessitatibus et ministrorum suorum: et hospitalitatem eciam servent prout dictant canonice sanctiones.

<sup>1</sup>Gray's Register (Surtees Soc.) p. 217.

<sup>2</sup>Compare in Gray's Register a reference to an earlier Constitution of 1228, *ibid.* p. 20.

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4. Quarto quod nullum ineant contractum clam vel palam cum quacunque litterata vel illitterata persona in quacunque curia que possit in temporalibus vel spiritualibus preparare preiudicium successoribus eorundem quominus prosequi valeant ecclesie sue iura.

5. Quinto quod edificia rectorie vel vicarie in statu decenti conservent prout sufficiunt ecclesie facultates.

6. Sexto quod bona ecclesie contra ius commune alienata et libertates eciam quascunque secundum deum et iustitiam revocare teneantur.

7. Septimo quod bona et iura ecclesie sibi concesse pro viribus absque alienacione et detrimento quolibet notabili studeant observare.

8. Octavo quod fructus ecclesiarum suarum non vendant simul et in summa sine nostra licencia speciali, quoniam huiusmodi venditio, firme similis, omnia evacuat officia pietatis, et facit decimas nundinales que debent in domo dei pauperum necessitatibus providere.

*Item*, istos articulos scribi precipimus in qualibet ecclesia in missali vel alio libro potiori palam lucide et aperte, ut frequenter occurrant memorie ministrorum: et visitantibus ostendantur. Facientes aliter graviter puniantur.<sup>1</sup>

For the rest, injunctions of this nature are rare: the more formal Constitutions for the most part took their place during the thirteenth century, which was the formative period: in the two succeeding centuries there was less to define or enjoin. Whatever was necessary was done for the most part by provincial Constitutions; and ordinary diocesan visitations had but to see the existing rules carried out, to enforce them rather than to define further.

When the diocesan visited his Chapter, the visitation might again issue in Injunctions: but specimens of these belonging to an early date have as a rule not survived. Serious reforms needed to be effected by Statutes made with the Chapter's consent; and these, being analogous to the Constitutions, were placed on record and remained as the governing rules of the body, while the mere injunctions, enforcing already existing rules, dis-

<sup>1</sup>*Wilk. Conc.* ii, 128, from *Peckh. Reg.* p. 127<sup>v</sup>.

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appeared. Moreover, other Statutes were made independently of visitation, and many belong to the twelfth century, a period when as yet the bishop's visitation of the Chapter was unknown. No earlier document arising out of a visitation can be cited than the Injunctions of Walter Gray mentioned above, which concerned the Chapter as well as the diocese of York: and this document, inasmuch as it was put out with the Chapter's assent, might be more strictly said to belong to the class of Statutes than that of Injunctions.

No earlier specimen of Injunctions proper given by a diocesan to his Chapter (in a secular foundation) can at present be cited than those of Langton for Lichfield Cathedral in 1300. They are well known from having been printed by Wilkins.<sup>1</sup> Less familiar are those given by Grandisson at Exeter in 1328. The visitation is ended by a long Decree which rehearses some of the general (as distinct from personal) shortcomings which have been revealed, and gives a number of injunctions which may be summarized as follows:<sup>2</sup>

1. Canons must attend the offices at which they are required to be present as a condition of receiving their dividends: but no change is made in the recognized exceptions to this rule.

2. Those who are priests already must take their turn in the performance of the Mass at the High Altar and of the Canonical Hours. Others are to be ordained priests within a year if they wish to have their dividends, unless they are excused in one of the recognized ways.

3. All Vicars are to attend all the Canonical Hours. Those who are paid to celebrate for the departed must perform their duty faithfully, or be superseded. They are to avoid taverns and all disorderly behaviour.

4. The defects in some of the Church books are to be made good, and the books to be submitted to the bishop for his approval.<sup>3</sup>

<sup>1</sup>Wilk. *Conc.* ii, 256. These, being corrective of abuses and not concerned with new points, are issued by the bishop on his own authority, and are simply injunctions.

<sup>2</sup>*Reg. Grandisson* (ed. Randolph) i, 436.

<sup>3</sup>One result of this was the drawing up of the Exeter Ordinal of Gran-

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5. The pause at the half verse and between the verses in the singing of the Psalms is to be better observed: and more care is to be taken to ensure unity in all the singing.

6. The books are to be made to agree with one another both in words and music.

With this summary we may end the series of specimen documents, drawn as far as possible from the earliest available English sources. In the fourteenth and fifteenth centuries visitation proceeded on lines of routine and documents are fewer and formal. This is especially the case with diocesan visitation, where bishop and archdeacon followed a constant course of inquiry and had normal means of correction. It is less the case with the visitations of chapters and monasteries: because these came at intervals, the inquiries often had regard to special defects, and the method of correction was by a formal document adapted to the occasion and not some normal process of the courts. Hence the bulk of the documents belonging to the later pre-Reformation days concern chapters or monasteries, and by far the commonest are the sets of injunctions for the religious houses.

### §24

We now approach the Reformation period with its documents: and inquire how much was visitation being actively exercised before the new movement influenced it. The most striking point which emerges is that Archbishop Lee was visiting the religious houses of his diocese and the Cathedral Chapter of York when the Royal Writ of Sept. 18, 1535, was issued which suspended further proceedings in view of the coming Royal Visitation.<sup>1</sup> He had dealt with the chapter disson, now printed by Canon Dalton for the Henry Bradshaw Society.

<sup>1</sup>This was the normal proceeding when any superior jurisdiction, e.g., that of the metropolitan, superseded the ordinary.

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and issued six injunctions or "decreta": he was in the middle of his visitation of the religious houses and had appointed a commissioner to finish that part of the work and to carry on the visitation of the diocese in general.<sup>1</sup> This Royal Inhibition was general throughout the country, and it may be taken as the dividing line between old and new so far as visitations are concerned.<sup>2</sup> Simultaneously Cranmer had been visiting first his own diocese; and then by his commissary, the diocese of Norwich, where Bishop Nix was in trouble. In that diocese the visitation at any rate of religious houses had been kept up till the end, and Bishop Nix himself had been diligent in that respect.<sup>3</sup> Thereupon came the beginning of a metropolitical visitation of the Southern Province: but this, like Lee's activity, was cut short by the Royal Inhibition. This was no new move, for Warham had visited five years previously when Wolsey's death brought his legatine authority to a close. Morton had carried on the plan of metropolitical visitation down till nearly the end of the fifteenth century<sup>4</sup>; so in spite of an interval of between thirty and forty years, the process went on fairly continuously. In the Northern Province there had been at any rate one metropolitical visitation, for Archbishop Savage visited Durham *sede vacante* in 1501.<sup>5</sup> The ordinary diocesan visitation was kept up even more continuously, and Cranmer found that the dioceses in his province were being duly visited by their diocesans.<sup>6</sup> In all branches therefore

<sup>1</sup>See the documents printed from his Register (ff. 93<sup>v</sup> and following) in *Yorks Archæol. Journal*, Part LXIV (1901) pp. 424 and ff. Lee began in June, 1534, shortly after his enthronement in person, but his Commissary had begun a special visitation of Ripon in the previous year. See *Mem. of Ripon* (Surtees Soc.) ii, 167.

<sup>2</sup>This visitation was expected to be finished by Aug. 1. *Letters and Papers of Hen. VIII*, vol. VIII, p. 375.

<sup>3</sup>See the *Visitations of the Diocese of Norwich 1492-1532* edited by Dr Jessopp for the Camden Soc. 1888.

<sup>4</sup>Hook, *Lives* v. 458.

<sup>5</sup>See the Acts of this visitation in *Eccl. Proc. of Bp. Barnes* (Surtees, vol. 22) Appx 1.

<sup>6</sup>All this emerges from the documents of the quarrel of the bishops of London and Winchester with Cranmer about his visitation. Strype [*Cranmer* i, 46 (Ed. of 1840)] made a mis-statement (derived from Stokesley) that

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we are justified in saying that visitation was being carried out down to the time when it began to assume a new significance.

### §25

The Royal visitation of 1535 introduces a new form of visitation; or to speak more accurately, it signalizes the exaltation into a position of supreme importance of a method of visitation which had hitherto held only a very small position. Hitherto the Royal Supremacy, while it had shown itself in varying degrees of operation in the history of the English Church, had never shown itself in this form. The Crown had been visitor of the Royal Peculiars<sup>1</sup> and had excluded episcopal visitors from them. It had also restricted archiepiscopal visitation when the King in 1376 directed the Archbishop of York to refrain from his attempt to visit the diocese of Durham.<sup>2</sup> But actions such as these were very different from Royal visitation as practised by Henry, Edward or Elizabeth, in which the jurisdiction of the Ordinary was suspended by inhibition so that the Royal Visitors should have the whole jurisdiction in their hands. Great as had been the authority of the Crown, the King had hitherto never attempted this degree of intervention. To find a parallel one must go to France where the *Parlement* of Paris had recently been exercising a close supervision over church affairs of every sort, and had sent its commissaries to visit Religious Houses.<sup>3</sup> The French action belongs to the great days of Gallicanism: and similarly the English action was only begun after the anti-papal

there had been no metropolitical visitation for a hundred years, and this has often been repeated. See the documents, *ibid.* ii, Nos. xiv and xv. Compare the Lincoln visitation mentioned by Layton in 1535. Wright, *Letters*, 94.

<sup>1</sup>For an early visitation of St George's, Windsor, by the Chancellor in the King's name see Wilk. *Conc.* iii, 132, of 1278.

<sup>2</sup>Above, p. 86.

<sup>3</sup>Imbart de la Tour, *Les Origines de la Reforme*, i, 117-121.



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legislation of 1534, and the new assertion of Royal Supremacy.

Visitation by the authority of the Pope had in previous days alone run to such lengths. The ordinary legatine authority carried the legate far, and when more was needed, e.g., when Morton desired to reform the exempt Religious Houses in 1489, special bulls opened every door to his entry.<sup>1</sup> In earlier days, too, papal visitors had been not unknown figures at the convent gates. Now that those days are over the King must exercise no less a supervision, to see order kept and spiritual duties done in every ecclesiastical sphere: and Parliament in 1533 expressly transferred from the Pope to him the power to visit exempt Houses. The Royal Visitation is in fact a natural outcome of the new condition of things, and one that is not nearly so questionable an outcome as some others which will emerge in the troublous days of change before the results of the emancipation of the English Church from the papacy had been brought to maturity. It was in full operation only at intervals between 1536 and 1559. The visitatorial power of the crown has, no doubt, been exercised since that period, but not in the same degree, nor in such a way as by a formal visitation to supersede episcopal authority.

The first Royal visitation was planned in 1534, and Crumwell as Chief Secretary with Tregonwell and Bedyll were appointed visitors:<sup>2</sup> articles were drawn up by Dr Layton,<sup>3</sup> and preparations made, which for the moment came to nothing. In the following January the like commission was issued to Crumwell alone:<sup>4</sup> others were to act as his surrogates: but Layton, Bedyll, Tregonwell and their companions had already for some time been prosecuting the visitation of the Religious Houses either formally or informally.

<sup>1</sup>Wilk. *Conc.* iii, 630. Cf. the bull for Wolsey in 1524, *ibid.* 703.

<sup>2</sup>Gee and Hardy *Docs.* p. 256. But this is placed by Gairdner in 1535. *Letters and Papers of Henry VIII*, viii, 23.

<sup>3</sup>Wright, *Letters* (C.S.) p. 157, belonging to June 4, 1535. *Ibid.* viii, 311.

<sup>4</sup>*Letters and Papers of Henry VIII*, vol. viii, p. 24. Ap Rice had been appointed Clerk and Registrar to such commissioners in Sept. 1534. *Ibid.* vii, 474.

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The course of events in the early half of 1535 is not clear: but Crumwell had meanwhile become "Vicegerent of the King in all ecclesiastical causes, his Vicar General and Official Principal": his agents, Layton, Legh and the rest, were carrying on their work with the monasteries, inquiring according to the Articles and administering Injunctions:<sup>1</sup> Layton and Tregonwell were also busy at Oxford and Legh at Cambridge.<sup>2</sup> Soon the visitation was to be extended to the dioceses, cathedrals and the clergy in general. The monastic visitors now became general visitors on Crumwell's behalf. Legh and Layton were entrusted with the North,<sup>3</sup> Tregonwell with the South-West, John Vaughan with Wales. Some part of the South and Midlands<sup>4</sup> was also visited incidentally by the two former. This general visitation was inaugurated by the King's writ of Sept. 18 inhibiting the exercise of ordinary jurisdiction during the period of Royal activity<sup>5</sup>: but for the moment little was done, as the visitors were too busy revising their work with the monasteries, so as to have the case against them ready to present to Parliament in February. Meanwhile Tregonwell gave some injunctions to the Chapter of Salisbury Jan. 8, 1535-6 as commissary for the dioceses of Salisbury, Exeter and Bath and Wells.<sup>6</sup> Legh and Layton in their northern tour visited on Jan. 11 the Archbishop of York, and gave him some injunctions, which they thought to be so good that they wished Crumwell to base on them a set of injunctions for all the bishops.<sup>7</sup> Legh's visitation of the diocese was postponed till later and meanwhile because of the delay the President and Chapter at Ripon were favoured with leave to exercise their jurisdiction

<sup>1</sup>Wilkins, *Conc.* III, 783 and Pocock's Burnet IV, 207.

<sup>2</sup>*L. and P.* IX, 117, 118, 138, 233, 238. The Injunctions are *ibid.* p. 224.

<sup>3</sup>Layton's petition for the work is in Wright, pp. 156, 157, *ut sup.*

<sup>4</sup>e.g. Chichester, *L. and P.* IX, 145, 166. London, *ibid.* X, 124. Lichfield, 137. Legh at Ely. *L. and P.* IX, 253. For Vaughan in Wales, see *ibid.* X, 75, 160, 195, 313.

<sup>5</sup>Wilk. *Conc.* III, 797. Above p. 117.

<sup>6</sup>Dayman and Jones, *Statutes*, p. 102. Further traces of Tregonwell's work in the West are to be seen at II, 63, below. cp *L. and P.* X, 57, etc.

<sup>7</sup>Wright, 95. *L. and P.* X, 30-34.

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in spite of the visitation.<sup>1</sup> Meanwhile also Layton and Legh went on to Durham, where they visited the bishop first, then the monastery, and probably the diocese also.<sup>2</sup> In March, the monastic work being done, Legh issued his summons to York diocese, the visitation took place and was not dissolved until July.<sup>3</sup> Thereupon the Archbishop was able to take up again his task of dealing with Christopher Dragley at Ripon as Document No. V shows.<sup>4</sup> Carlisle had been visited by Legh and Layton in February and March<sup>5</sup>; so the Northern Province was completed, and Wales also had been finished in the spring.

The dealings with the monasteries passed into a new stage when Parliament in the spring of 1536 passed its Act suppressing the smaller houses: and new commissions were issued on April 24 which put the work of carrying out the surrenders into other hands besides those of the previous visitors.<sup>6</sup> This left Legh, Layton and the rest free to go on with the general visitation: but there seems to have been a pause in the work throughout the summer. Then armed with a Confession of Faith and a set of Visitation Articles the Visitors again set to work. In some cases the diocesan bishops were authorized by the Crown to conduct the visitation. The Bishop of Hereford had such a commission dated July 21, 1536, and he delegated the work to his Vicar General so that it began on Aug. 25.<sup>7</sup> Similarly the Bishop of Lincoln was authorized to visit, and his chancellor Dr Raynes was engaged in the work in October when the Lin-

<sup>1</sup>*Memorials of Ripon*, II (Surtees Soc. 78) p. 257.

<sup>2</sup>*L. and P.* x, 64, 99.

<sup>3</sup>*Lee Register*, f. 134<sup>v</sup>.

<sup>4</sup>The date given at ii, 25 is corrected by the colophons pp. 28, 29. Further comment on Dragley by the Archbishop at this juncture may be seen in *L. and P.* xii, ii, 300, 415.

<sup>5</sup>*L. and P.* x, 99.

<sup>6</sup>*L. and P.* x, 303.

<sup>7</sup>The Commission is in *Wilk. Conc.* iii, 810, and with it may be contrasted an earlier commission from the Crown issued Oct. 14, 1535, which allowed the bishop to exercise his ordinary jurisdiction in spite of the inhibition of the Royal Visitation, but that only, and not any visitation such as the later document allows. *Ibid.* iii, 797. For the rest see *Foxe Reg.* ff. 7<sup>v</sup>-10<sup>v</sup>.

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colnshire rebellion broke out and he was put to death.<sup>1</sup> But for the most part the old hands did the work. Legh was busy in Coventry and Lichfield in August, while Layton was in Norfolk and Ely. Petre was busy in Canterbury and Rochester during September, and Tregonwell again in the West. But the insurrections in Lincolnshire and the North drew them off from this work. They were needed to deal with the captive insurgents: and they do not seem to have returned ever again to the task of visiting the clergy, though Legh, Layton and others continued to contrive the suppression of the monasteries.<sup>2</sup> Little more was done subsequently. There are signs of the activity of Bedyll and London in Northamptonshire during November: and in the New Year a new man, John Evance, is entrusted with the diocese of Worcester. His dealings lasted during the first three months of 1537,<sup>3</sup> and thereafter the main work of the Royal visitation may be said to have been finished.<sup>4</sup>

Meanwhile the second Parliament of the year, which occupied the summer time, was dissolved in July, 1536, having sat for six weeks (June 8 to July 18)<sup>5</sup>; the concurrent convocation had subscribed the book of the Ten *Articles* which was immediately issued with a preface in the King's name. This expounded the duty of the King to the Church thus:

that it most chiefly belongeth unto our said charge diligently to foresee and cause that not only the most holy Word and commandments of God should most sincerely

<sup>1</sup>*L. and P.* xi, 238. But London and Bedell had also visited for the King: *Ibid.* xiii, i, 342; xiv, ii, 319.

<sup>2</sup>When Legh in 1538 speaks of visiting dioceses, he presumably only means the Religious Houses in its borders. *L. and P.* xiii, i, 203, 204.

<sup>3</sup>See for these statements *L. and P.* xi, pp. 114, 140 [273 belongs to 1536, in spite of the editor's misgivings on p. 717] 166, 185, 188, 534, 581; xii, i, 21, and ii, 484, etc.

<sup>4</sup>The Bishop of Norwich had the inhibition relaxed in Jan. 1537: the Bishop of Durham asked for the same in March. *L. and P.* xii, i, 44, 264. The Bishop of Bangor had received it and had visited on his own account by July. *Ibid.* xii, ii, 109. But on the other hand the belated Worcester was not free till after Feb. 8, 1540. *L. and P.* xv, 67.

<sup>5</sup>The previous session had been Feb. 4 to April 14.

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be believed and most reverently be observed and kept of our subjects, but also that unity and concord in opinion, namely in such things as doth concern our religion, may increase and go forward, and all occasion of dissent and discord touching the same be repressed and utterly extinguished.

In these terms the first of English Confessions<sup>1</sup> described the Royal Supremacy: they were mild compared with the royal proceedings which the convocation had already experienced, but they represent a familiar point of view. Justinian had claimed no less, and his intervention in the affairs of the Church had been minute and widespread.<sup>2</sup> Charlemagne had carried through reforms relying on the like claim. In fact, just as the above passage was preliminary to the sending of the first Royal Articles (Doc. 1) by the hand of the visitors, so a similar passage from Charlemagne had introduced the sending of his *Missi* or commissioners with 82 *capitula* to visit the clergy and people of his empire.

Placuit nobis vestram rogare solertiam, o pastores ecclesiarum Christi et ductores gregis eius et clarissima mundi luminaria, ut vigili cura et sedula ammonitione populum dei ad pascua vitae aeternae ducere studeatis etc. . . . Ideo magno devotionis studio ammonendi et adhortandi sunt immo compellendi ut firma fide et infatigabili perseverantia intra paternas sanctiones se contineant; in quo opere et studio sciat certissime sanctitas vestra nostram vobis cooperare diligentiam. Quapropter et nostros ad vos direximus missos qui ex nostri nominis auctoritate una vobiscum corrigerent quae corrigenda essent. Sed et aliqua capitula ex canonicis institutionibus, quae vobis magis necessaria videbantur, subiunximus. Ne aliquis quaeso huius pietatis ammonitionem esse praesumptiosam indicet, qua nos errata corrigere, superflua abscidere, recta co-

<sup>1</sup>These *Articles devised by the Kinges Highnes Maiestie* . . . are reprinted in Lloyd, *Formularies of the Faith*, 1825, p. XIII.

<sup>2</sup>Church, *On the Relations between Church and State* (1899) pp. 19 and ff.

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hartare studemus, sed magis benevolo caritatis animo suscipiat, etc.<sup>1</sup>

Henry's Visitors were armed with this book of doctrinal *Articles* and further with the first set of Royal Injunctions<sup>2</sup> (Doc 1) which not only enforced the previous parliamentary legislation concerning the Church but also promulgated the accompanying *Articles* together with a recent order of the same Convocation concerning the abrogation of superfluous Holy days. The other orders were of a more familiar character aiming at instruction both religious and secular; the securing of the morals of the clergy, and of the maintenance of church property. Two financial orders were meant to encourage the exhibition of scholars at schools and universities, and the distribution of some portion of the church stipend in alms, when the recipient was not resident upon the benefice. The seventh injunction however marked a new departure, for it added to the list of things which the parson was required already by canon law to provide for the church, a Bible both in Latin and also in English.<sup>3</sup> This encouragement of Bible reading is important doctrinally: but from the point of view of the theory of visitation the noticeable feature of the document is the taxing of the pockets of the clergy with these three novel financial claims.

The insistence on education is everywhere noteworthy. The injunctions of 1535 for the Religious Houses had ordered a daily lesson of one hour's length in Scripture<sup>4</sup>: the visitors at Oxford had established a number of new lecture-ships, especially in Greek and Latin, to supersede the scholastic teaching which they abolished.<sup>5</sup> Latimer at Worcester (Doc. 11) now makes provision for the instruction of the convent in grammar as well as in Scripture. The clergy are to provide themselves with the Scriptures, and before

<sup>1</sup>*Capitularia Reg. Franc.* (Mon. Germ. Hist.) p. 53.

<sup>2</sup>Apparently reviewed and amended by Tunstall, Bishop of Durham. See *L. and P.* xi, 579.

<sup>3</sup>Later half the cost was thrown on the parishioners, ii, 36.

<sup>4</sup>Burnet iv, 220.

<sup>5</sup>Wright, *Letters*, 70.

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long they are to be examined in their reading, and given definite tasks to work at. The theological lectures also were instituted for cathedral bodies: the earliest order for them is in the Royal Injunctions for Sarum in 1535-6 as follows:

Itemque singulis quibuscunque ebdomadis bis saltem quidpiam ex sacris literis publice perlegatur, praeter vacationum tempora ab Academia Oxoniensi usitata: cui muneri obeundo eruditus quispiam sacrarum literarum penitus proficiatur, atque ei honestum salarium Cancellarii Sarum ecclesiae sumptibus decernatur. Et ad hanc lecturam omnes et singuli tam huiusmodi ecclesiae Sarum quam civitatis Sarum presbyteri sub poena ab episcopo huiusmodi ecclesiae seu eius Vicario Generali infligenda accedere compellantur, nisi justa et aequa causa sit quam suae absentiae praetextant.<sup>1</sup>

The establishment of such a lecture was soon found to be a general feature of the policy of renaissance and reform. Parallel with it was the encouragement of preaching: this is assumed in the First Royal Articles: special provision is made for it in 1538, by laying the obligation to maintain quarterly sermons in appropriated churches on the monastery to which they were appropriated.<sup>2</sup> This phase soon vanished, for in two years' time the monasteries were no more: and the holders of the tithe that they had held were not required to take over the obligation with the money. But in other respects the encouragement of sermons<sup>3</sup> together with the restriction of preachers by the system of licence becomes permanently a prominent feature.

<sup>1</sup>Dayman and Jones, *Statutes*, p. 102. This set of injunctions is the only one that is available, that emanates from the Royal Visitation earlier than the General Injunctions (Doc. 1). This is the only item of general interest; the other six concern only the cathedral.

<sup>2</sup>ii, 20. The date is 1538 as the colophon shows. The document is misplaced and wrongly described in error.

<sup>3</sup>Some move in this direction had been made earlier; for in 1528 a diocesan synod of Ely had ordered that every quarter a portion of the book called *Exoneratorium Curatorum* should be read as an homily to the people on a Sunday, and the whole gone through every year. Wilk. *Conc.* iii, 712.

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### § 26.

It has been thought well to go thus fully into the history of the first Royal Visitation partly because it was a new departure and partly because its course has not hitherto been clearly described. The future proceedings will not claim so much attention: but it will be well to go quickly over the history of the period, and call attention to current topics that have a bearing on this series of documents.

The Friaries have already been disbanded, and the result of it is seen in Lee's seventh injunction;<sup>1</sup> and one final set of injunctions closes up the tale of the Religious Houses (Doc. vi). It would not be fair to judge of them by this evidence, for the case is exceptional, as the exceptional treatment shows.

The Second Royal Injunctions appeared in 1538, being issued independently of any visitation.<sup>2</sup> They were in the main modelled on the First, while they formed the model for the later Royal Injunctions of Edward (ii, 114) and Elizabeth (iii, 1). There are evident signs of the attack upon images, relics, lights, and such customs as pilgrimages, which had taken place in 1537; and the attack on symbolism and ceremonial is definitely inaugurated. The "detestable sin of idolatry" begins to loom large in the outlook of the reforming party, and henceforth many injunctions will be issued, which rest upon no other authority than a very meticulous interpretation of the Second Commandment. For the moment the attempt is made, to leave room for some use of symbols, and to allow that it is legitimate so long as the thing is distinguished from that which it represents: but this toleration will not last long, so far as the bulk of medieval symbolism is concerned. At the end of the set of injunctions some coming liturgical changes are foresha-

<sup>1</sup>ii, 21.

<sup>2</sup>Cranmer's mandate for their publication in his diocese dated Oct. 11, 1538, is given at ii, 34.



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dowed: and in fact two proclamations followed which altered the situation further. The earlier one appeared on Nov. 16, 1538, and was apparently too late in the year to have any influence on the remaining documents of our series belonging to this year.<sup>1</sup> The second came on Feb. 26, 1539: but between the two falls a somewhat important circular sent to the Justices of the Peace in December in order to give further explanation of the preceding directions and remove misconceptions that had arisen about them.<sup>2</sup> Neither of these has left any trace on our series of documents: for there is a curious gap in the series between 1538 and 1541, for which it is not very easy to account. In the interval, starting with the Parliament of 1539 came the doctrinal reaction, symbolized by the Act of the Six Articles, which lasted during the remaining eight years of the reign. Possibly this set-back was responsible for a lull in visitations: possibly, however, the interval is nothing but the ordinary triennial interval between one visitation and another which now occurs everywhere simultaneously because visitation had taken place uniformly everywhere in 1537 and 1538: or possibly again the interval is merely fortuitous and is due to nothing else but the disappearance of visitation documents for that particular era.

In any case, it is well to note, before passing on, two documents belonging to the period, which are not, strictly speaking, part of the series, but are, nevertheless, closely related. In 1539 there was first a proclamation designed to enforce uniformity; and secondly a set of injunctions or royal orders, not connected with any visitation, which were aimed for the most part against contraband theological literature, the excesses of the Anabaptists, and the mis-

<sup>1</sup>Unless it is possible to detect in Shaxton's fifteenth injunction a reference to that part of the proclamation which ordered a distinction to be drawn in sermons between the commands of God and the purely ecclesiastical ceremonies. These injunctions seem to belong to the end of the year, for there is a reference in the fourth to the unfrocking of the Friars.

Voysey's Injunctions on the other hand seem to be anterior to the Second Royal Injunctions.

<sup>2</sup>For the outcome of these proceedings see Gairdner, *Lollardy*, ii, 335-343.

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translation and misuse of Holy Scripture, but also dealt be-lated blows against Becket and his cult.<sup>1</sup>

In August, 1541, we meet in our series the beginning of a valuable set of Academic documents, in Cranmer's In-junctions for All Souls College, Oxford. In the colleges of the Universities very various arrangements existed for visi-tation, depending for the most part upon the direction of the Founder. The Archbishop of Canterbury and the Bishops of Winchester and Lincoln had the chief share at Oxford: the first figures as visitor at All Souls, and Merton, the second at Magdalen, New College, Corpus, St John's and Trinity; and the Bishop of Lincoln at Oriel,<sup>2</sup> Lincoln and Brasenose. At Cambridge the Crown is now visitor of the greater number of the colleges; but the Bishop of Ely acts at Peterhouse, Jesus and St John's,<sup>3</sup> and the Bishop of Lincoln at King's. Specimens of their work will come up from time to time.

Among Cranmer's Injunctions for All Souls there is found one which enforces the new rule recently made by the Act for Leases of Hospitals, Colleges and other Corporations,<sup>4</sup> by which the individual veto of any member of such a cor-poration, on questions of leases, grants, and the like, was taken away from him, even though it might have been secured to him by the Statutes.<sup>5</sup> This expedient opened the way to future spoliation, not so much in the case of the col-leges at Oxford and Cambridge, as of other colleges, with hospitals, chantries and the like, which were to fall into the hands of the spoiler between 1545 and 1553.

The remaining documents of the reign afford little com-ment on the state of the dioceses. At Ely we see the bishop issuing articles or injunctions after receiving the Royal Letter of Oct. 4, 1541, which dealt with Images, Relics, Shrines and Votive Lights. Beyond this we have only Bon-

<sup>1</sup>Wilk. *Conc.* iii, 810, 847. The earlier of these is there misplaced.

<sup>2</sup>Now the Crown is visitor.

<sup>3</sup>See some account of a visitation of St John's by Bishop Goodrich in Baker-Mayor *History*, 117; and for later visitations, pp. 143, 146.

<sup>4</sup>33 Hen. VIII, c. 27.

<sup>5</sup>See ii, 78, and for the Statute *loc. cit.* p. 57.

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ner's Injunctions for the diocese of London, which form an interesting contrast to his later documents of 1554. The earlier numbers of this set of injunctions fall into line with the rest of the series of the time, and are closely connected with the Injunctions which Shaxton had given at Salisbury in 1538 and Lee at Lichfield and Coventry in 1537.<sup>1</sup> But Bonner himself seems to be speaking in the 17th and 18th injunctions.

When we turn from the dioceses to consider the relation of the remaining documents of the reign to the state of the cathedrals, though there is no abundance of material, such as might be desired, yet the Injunctions of Heath for Rochester in 1543 are of special interest, because they concern a cathedral, which had been monastic, and has now become secular, and is under a new set of Statutes. The scheme which the new Henrician Statutes inaugurated was for the most part uniform throughout each of the two groups of cathedrals affected, viz. (i) old monastic cathedrals now transformed, and (ii) newly erected cathedrals. Some of the changed plans were short-lived, being soon overwhelmed by more sweeping alterations. Such for example are the adoption of the Sarum Use and the other liturgical arrangements of the Statutes which are handled especially in Heath's Second Set of Injunctions. On the other hand some were lasting; and it will be well in view of the larger number of cathedral documents to take notice of the New Foundations now set up as contrasted with the Old.

The Secular Cathedrals of the Old Foundation had grown in process of time to a certain uniformity: the *personnel* was a body of men, called "canons" from their official position, or "prebendaries" because of their financial privileges, presided over by a Dean; who with the Precentor, Chancellor, and other officers, formed an inner circle of dignitaries within the chapter. In dependence upon this *personnel* was a body of Vicars both lay and clerical, the latter being sometimes dignified

<sup>1</sup>Add to the marginal note at ii, 85, that No. 10 is the equivalent of Lee's No. 11.

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with the title and status of minor canons. Originally deputies of the Prebendaries, they later acquired an independence of their own, and were not unfrequently organized into a separate College, having its own dwellings, common table, common fund, estates, statutes, etc. Besides this body there was further a number of minor officers and servants needed by the church and by the corporate life. The endowment of the Chapter was partly held in a common fund, in which all the members shared under certain conditions of distribution: this was, as a rule, reserved to canons who kept residence: partly also it consisted of separate estates or portions annexed to the individual post and held by the canon who occupied that post: this *praebenda* or prebend was, for the most part, at the disposal of the prebendary whether he resided or not. Some prebends were rich, some were poor; some prebendaries resided and some did not; but increasingly residence, and the sharing in the common fund which went with it, became a privilege which was restricted, so that the residents were few and their share therefore of the common fund was considerable.

The new system which Henry VIII inaugurated was in many ways unlike the old. That had been evolved by a gradual decay and shifting of ideals: the new began as an improvement upon the existing state of things, and was both precise and uniform. A Dean, and so many prebendaries, form the chapter: there is provision also for a number of minor canons, with two supplementary clergy called Deacon and Subdeacon, or Epistoller and Gospeller: again there are singing-men, and choristers with their Master, who is usually responsible for the organ: there is a grammar-school with grammarians under their Master: there are so many Bedesmen, with more or less plentiful provision for the offices of Subsacrist, Verger, Porter, Belling, Barber, Butler, Caterer and Cook. The finances are held for the most part in common; there are no separate prebends or individual estates, and therefore there is no financial distinction as a rule between residents and non-residents, except that the fixed sum or "corps" of each prebend is supplemented by "quotidians" or "divi-

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dends," *i.e.* daily allowances. But all the canons now take their share of the burden of residence, and have to maintain separate households, and keep hospitality: while the Inferior Ministers and boys have a Common Table. The special offices, such as those of the precentor or sacrist, are not here held by the "dignities" nor even by canons, but are laid upon minor canons. There is, however, a Vice dean to act as the Dean's deputy; and a canon has to be elected to serve as Treasurer, and another as Receiver, from time to time. The Minor Canons or Clerks no longer form a corporation as the old Vicars Choral did: but their Common Table gives them a common life and a restricted amount of common finance. The inferiors all receive a fixed salary: if the College has any surplus from its common fund, it is divided among the Dean and Chapter: on the other hand the Chapter may be called upon to make provision for things not included in the original scheme—*e.g.* to appoint a Lecturer in divinity—and may be liable in this way for additional charges.<sup>1</sup>

In respect of visitation the difference was explicit. The bishop, as we have seen, had established by degrees his right over all the old chapters, except Hereford; but it was subject to many exemptions and restrictions of more or less importance. In the new model the bishop's right of visitation is secured to him absolutely and without being impaired by any exemptions or restrictions.

These great changes affect not only this immediate pair of documents for Rochester: but an understanding of this dual system of English cathedrals is necessary for the appreciation of many later dealings with the Chapters.

Before leaving the reign of Henry we note that while the first doctrinal pronouncement of the Reformation movement, the *Articles about Religion*, comes into question in the opening document,—the First Royal Injunctions,—and similarly

<sup>1</sup>Specimens of the New Statutes may be seen in *Winch. Cath. Doc. I* (Hampshire Rec. Soc.) or Prescott *Statutes of Carlisle Cath.*, or Atkyns, *Gloucestershire*, p. 85. The Statutes of the old model are very various; those which can be easiest consulted are the *Linc. Cath. Stat.* Edd. Bradshaw and Wordsworth. 3 vols (1892-7). There are Henrician Statutes for York in Dugdale, *Monast.* vi. 1200. The Elizabethan Statutes for Westminster Abbey are in Appx. to *First Report of the Cathedral Commission*.

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the second doctrinal formula, *The Institution of a Christian Man*, appears in this collection immediately on its publication,<sup>1</sup> the third formulary of the series, *The Necessary Doctrine and Erudition*, which was printed May 29, 1543, is not anywhere mentioned. There are however no documents included in this series where such a mention could naturally be expected. The injunctions of Heath were given only a week after its appearance: and the only document which it has been possible to find to fill the four years' space between that date and the Edwardine Articles (1547) is an academic one. It is probably owing to the same lack of documents that we have to wait till the Edwardine Articles before we hear of the English Procession or Litany which appeared in 1544, and the Primer in English of Henry which came out in the year following;<sup>2</sup> or find any enforcement of the order made by Convocation in 1543 for the reading of a lesson from the English Bible at Mattins and at Evensong.

In 1545 there was a semblance of a fresh visitation which was to deal with Chantries, Hospitals, etc.: and a set of Injunctions was issued.<sup>3</sup> But this action was merely part of the plan of suppression which had been inaugurated by the Act, recently passed, for the dissolution of Chantries, Hospitals, and Free Chapels. Only part of this spoliation belongs to this reign: the remainder was left to be the gleanings of Edward's councillors.

One might almost suppose that during all the latter part of the reign the ordinary episcopal authority for visitation was, in practice if not in theory, inhibited by the royal authority. There is no direct evidence of this: but the non-existence of diocesan documents for all this period is remarkable: and, further, it is noticeable that when the Archbishop of York planned a metropolitical visitation in 1545 he obtained Royal letters patent authorizing the plan.<sup>4</sup>

<sup>1</sup>ii, 15, etc.

<sup>2</sup>The Royal Order for the English Litany is in Wilk. *Conc.* iii, 869, and that for the King's Primer *ibid.* 875.

<sup>3</sup>Wilk. *Conc.* iii, 875. Burnet, v, 222.

<sup>4</sup>Rymer, *Foedera*, xv, 61. Sciatis igitur quod Nos de gratia nostra speciali . . . licentiam damus . . . praefato reverendissimo in Christo patri, etc.

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On the other hand there is a good piece of evidence of archidiaconal visitation in 1546 to be found in a visitation book of Dr Gilbert Smyth Archdeacon of Northamptonshire acting by his official John ap Harry.<sup>1</sup> This contains complete *acta* of the work done and includes some interesting *detecta*. A chantry priest sits in choir without a surplice more like a serving man than a priest. A curate goes to market in lay apparel. Quarterly sermons are neglected. The reading of the Bible has, for the moment of reaction, become almost a crime, since five men are presented as "common reders of the byble not only unto themselfe but also unto audyence." It is now a cause of complaint that people do not use beads and even discourage the use of them, that some refuse the Holy Water and Holy Loaf, and others break the Lent fast.

This evidence could probably be reinforced by further search among archidiaconal records: and it seems to show that, even if the bishops were doing little or nothing, the more inconspicuous task of the archdeacon was being performed.

### § 27

When we reach the reign of Edward, the care that his father had taken to give a constitutional appearance to his most arbitrary measures is discarded, and no such appearances are kept up. The visitations become frankly methods of introducing novelties; and this trait is at once discernible in the documents of the Royal Visitation which occupied a considerable part of the time between the new king's accession in January, 1547, and his first parliament in the month of November following.<sup>2</sup> The Edwardine injunctions

<sup>1</sup>The Book is in the Peterborough Registry.

<sup>2</sup>The Inhibition to the Archbishops dated May 4, 1547, is in *Doc. Ann.* no iv, or *Wilk. Conc.* iv, 10, cp. 14. But a few days later the Bishops were authorized to exercise their ordinary jurisdiction pending the issue of letters monitory by the visitors. *Ibid.* 14. Such a letter is given *ibid.* 17.

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are clearly the outcome of the two previous sets of Royal Injunctions, but they are still more conspicuously an advance beyond them. The current ceremonies and observances are not only decried but curtailed;<sup>1</sup> there are now to be no lights but two upon the high altar, no ringings of bells at Mass, except one summons to the sermon: no processions before the Mass but only a recital of the English Litany by the choir kneeling. No pictures or windows are to be kept that have been connected with feigned miracles, pilgrimages, idolatry and superstition: and already the signs are evident of the coming suppression and spoliation of fraternities and guilds.<sup>2</sup> The encouragement of learning and study however goes forward when it can be promoted at the charge of other purses than those of the King and his councillors. The Homilies that Cranmer put out in 1547 and the *Paraphrases* of Erasmus are to be provided in every parish, and every Chapter is to inaugurate a Library of patristic theology.<sup>3</sup> Other supplementary injunctions not merely interpret cathedral Statutes, but override them;<sup>4</sup> they alter the scheme and order of services, suppress the sequences, order the choristers no longer to be tonsured, and the canons no longer to wear their black cloth copes, "because it is thought to be a kind of monkery."<sup>5</sup> Thus the visitation carried out changes, which, whether they were advisable or not, were at any rate based on an arbitrary extension of visitatorial power, and made at a time when episcopal authority was inhibited. The criticisms and opposition of Gardiner in this connexion were amply justified on constitutional grounds.

The policy of superseding the power of the bishops was further developed by the legislation in the first parliament (Nov. 4-Dec. 24, 1547) and the suppression of the Guilds and Chantries already begun was carried to fulfilment. The bishops gradually recovered from the visitors the liberty to

<sup>1</sup>For the earlier restriction in 1538 see ii, 38.

<sup>2</sup>ii, 114-130.

<sup>3</sup>ii, 136.

<sup>4</sup>e.g. ii, 140, 137.

<sup>5</sup>ii, 161.



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exercise such powers as were left to them.<sup>1</sup> But even so the Council was not satisfied, and intervened in January and February to abolish further rites and ceremonies:<sup>2</sup> the effect of these orders is seen in Cranmer's Articles of that year.<sup>3</sup> There we note also a reference to the appearance of the *Order of Communion* issued for Easter 1548 as an English form of receiving Communion in both kinds according to the change inaugurated by parliament and convocation.

After the issue of the Prayer Book in 1549 there is no pause in the career of change, as might have been expected: innovation continues, and visitors do not hesitate to supersede the directions of the Book by Injunction. A somewhat mysterious set of Articles<sup>4</sup> that seems Royal and yet abortive, evidently set the fashion in this respect: and it was followed by bishops in their subsequent proceedings. In the growing disorder the Anabaptists come to the front, and other maintainers of communistic or anarchical views, in the new set of documents that begins in 1550. There are signs also of the Royal Letter of Dec. 25, 1549, by which the Latin service books were called in by order of Parliament and Council.<sup>5</sup> The principal place in the documents of 1550 is deservedly held by Ridley's Articles and Injunctions: for in early summer, shortly after his translation to London, he made his visitation serve as a conspicuous demonstration in favour of the new ways and against the old. If the mysterious Articles just mentioned were really Royal—and there seems some reason for conjecturing that they represent the *Decreta et Ordinationes* sent to Cranmer on March 4, 1550, with a Royal Writ ordering their publication<sup>6</sup>—then the

<sup>1</sup>For the Northern province the relaxation was dated Dec. 6. *Holgate Reg.* f. 14, but inhibition continued through the early months of 1458 in some places.

<sup>2</sup>*Doc. Ann.* vii, viii.

<sup>3</sup>ii, 184.

<sup>4</sup>ii, 190.

<sup>5</sup>*Doc. Ann.* xx; below ii, 233, 238, 239, 248.

<sup>6</sup>They are thus described: *quaedam decreta et ordinationes per nos de advisamento concilii nostri concepta et facta secundum formam cuiusdam statuti in huiusmodi casu editi et provisi, quae per latrem praesentium in quibusdam libris papyro impressis huic brevi nostro annexis vobis mittimus.*

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bishop may shelter himself behind the Royal authority against some of the charges of unwarranted innovation that have been brought against him. But even so, others remain. He seems plainly to have overridden the directions of the Prayer Book: and in his destruction of altars he at the least anticipated authority. Such authorization as the Council could give, and he get from them, for such an act, was not issued till Nov. 24:<sup>1</sup> but it was May when altars were thrown down in the diocese generally, and at the cathedral the altar had vanished on June 11.

Cranmer's dealings with his cathedral are inconspicuous compared with these, and Bulkeley's articles for Bangor are based upon Ridley. But Ridley was soon outdone by Hooper: four-fifths of his articles consist of an anticipation of the coming Articles of Religion, the rest follow Ridley. The injunctions show many signs of genuine zeal and a pastoral heart; but the iconoclasm surpasses all bounds, the overriding of the Prayer Book is indefensible, and the insistence that all the clergy should subscribe his articles marks the beginning of a system of extorting subscriptions, which has since become increasingly discredited.

The prevailing unsettlement had grievously disturbed and desolated the Universities. Nor was security re-established by the news of an impending Royal visitation. On the contrary this was regarded as a premonitory symptom of further spoliation: and the prospective victims set themselves with alacrity to secure what property they could before the spoiler descended upon them. In November, 1548, the inhibition came, containing special clauses to forbid alienations, gifts, appointments, etc. The Commissioners were given by the terms of their commission very ample authority.<sup>2</sup> The Colleges of Eton, Windsor and Winchester were included in the scheme: the first was entrusted to the Commissioners for Cambridge and the other two to those of Oxford. Several monuments of their

No printed document corresponding to this description is forthcoming: so the mysterious draft articles may perhaps be taken as its equivalent. This writ is in *Wilk. Conc.* iv, 38.

<sup>1</sup>*Wilk. Conc.* iv, 65. *Doc. Ann.* xxiv.

<sup>2</sup>*Rymer, Foedera*, xv, 178, 183. *S.P. Dom.* v, 13.

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work are extant and are printed below. The Statutes and Injunctions made for Oxford University seem to have perished, but some that were designed for individual colleges have survived (Docs xxxiii and xxxvi). As for Cambridge the opposite is the case: the Statutes for the University survive,<sup>1</sup> and also the Injunctions (Doc. xxxiv), but none for any individual college. Windsor was honoured with two sets of Injunctions, one of Feb. 8, 1550, and the other of Oct. 26 in the autumn following (Docs xxxv and xli). Winchester College had recently been visited in the General visitation of 1547 at the same time as the cathedral, and Injunctions of that visitation form Document xxv. Nothing further is forthcoming now: and perhaps no visitation actually took place. As for Eton, nothing took place at the time, but later in 1552 the Council dealt with some troubles there, without having recourse to Injunctions.<sup>2</sup> Apart from these particular documents it is only necessary to read Dixon's brief summary of the visitation of the Universities to see what havoc was wrought in the name of reform:<sup>3</sup> and if the visitation was less severe than was anticipated, it was at any rate destructive enough to do abiding and irreparable harm.

The documents from Windsor afford a good opportunity of summarizing the Edwardine changes so far as they affected the liturgical arrangements. Some of the greater changes are not emphasized in the injunctions, for they were of general obligation: thus we have no special mention of the suppressed ceremonies, the banished lights, and of other details of universal change. But these points are anyhow conspicuous: and we are grateful to these documents for giving us the rarer opportunity of noting the minor changes, the special provisions, and the points omitted elsewhere. We have two periods to consider, the first that of the

<sup>1</sup>See Lamb, *Letters, Statutes*, pp. 122 and ff.

<sup>2</sup>*P.C. Acts*, iv, 35, 44-7, and Maxwell Lyte, *Hist. of Eton Coll.* (1899), p. 138.

<sup>3</sup>Dixon, *Hist.* iii, 99-110. The alterations made in the Statutes of St John's led to difficulties in the future and led to a Royal Visitation which was set on foot in 1576. See Rymer, *Foedera*, xv, 762.

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general Visitation in 1547, the second that of the special Visitation in 1550. There are signs of continuous change going on all the time: but the broad line of separation between the two periods is marked by the issue of the First Prayer Book in the summer of 1549.

The first requirements involve only minor alterations in the rites, such as the addition to the Mass of some collects for the King, and the transformation of all the processions into one uniform recitation of the Litany in the body of the church. The chancel is now adorned with two copies of the Bible, and two more are provided for the nave: the injunctions are hung up in a conspicuous place: a pulpit is erected against one of the pillars in the nave, and a sermon is now preached there every Sunday, while a homily is read in the chancel after the Offertory by one of the minor canons on every Holy-day. No dark figures in choir-copes of black cloth, with amesses helping also to hide their surplices, now fill the choir stalls. The canons and the choir, both clerical and lay, wear their surplices and before long those that have taken degrees will be obliged to wear their hoods. The lay clerks will attempt to wear their surplices over their lay clothes,<sup>1</sup> for they are no longer now of the clergy: but the attempt will soon be ended by an order to them to wear gowns (cassocks), as their tonsured predecessors did: and the precedent will be set which rules choirmen still to-day.

Behind this external change lies a greater alteration: the old college of clergy, acting as priest-vicars, clerks and the like, is in process of transformation into a set of twelve priests (now to be called petit-canons) and fifteen lay-clerks, because priests skilled in singing cannot now be had for the choir and the proportion of lay and clerical must therefore be altered. The earlier order of 1547 is found not to go far enough in this direction: therefore the later orders of 1550 diminish the number of priests to four and increase the rest, who may be either deacons or laymen, to twenty. At the same time the choristers are reduced to ten in number, while better provision is made for their education, both

<sup>1</sup>Or possibly no surplice at all. Note 2 at ii, 222, is wrong. See ii, 162.

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on the spot, while they continue to sing in the choir, and also, for four years after they have left it, at some grammar school.

The changes in the services are still more interesting. In 1547 the Latin books are still in use: but Mattins is now to be at 6 a.m., not earlier; indeed it has been customary not to begin till 7; and at the petition of the petit-canon and clerks this is allowed to continue. Evensong is at 4. There is no mention of the other hours of Divine Service, and presumably they were grouped with the two great services above mentioned. The supplementary services of the dead and of the Blessed Virgin are given up, at any rate so far as the Choir is concerned. Most noticeable of all, and most strange, the choristers are to say Mattins in English before the choir Mattins in the early morning, and similarly Evensong in English before the ordinary Evensong in the afternoon. Presumably these services are to be taken from the *Primer*, and are not a version of the Breviary Services.<sup>1</sup>

By the time of the next sets of Injunctions the Latin books have gone and the English Prayer Book is in use. With it has come an attempt to pull up discipline: the old laxity about late-coming is at an end and all are now expected to arrive for the beginning of service and remain till the end.<sup>2</sup> The services are three: Mattins is at 7 in summer or 8 in winter. Holy Communion or "the service used in the place thereof," which is presumably the ante-communion service, is at 10, with the Litany on the days appointed for it. Evensong is at 4 in summer and 3 in winter. The dean and prebendaries are expected to attend one or other of these daily during residence: but the choir to attend all three. Further there is the attempt to recover frequency of communion: priests are expected to communicate and offer to the poor-box every week; and others every month, either on Sunday or Holy day. Between the morning services on Tuesdays

<sup>1</sup>The same forms were afterwards extended to the Universities. Procter and Frere, *New History of B.C.P.*, p. 40.

<sup>2</sup>But this was relaxed in favour of the dean and prebendaries in the later injunctions of 1550.

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and Fridays in term time comes the lecture on the Bible,<sup>1</sup> which all have to attend.

There is some interesting redistribution of duties. Lay-clerks are to read the Epistle and First Lesson, Deacons the Gospel and Second Lesson. The Chanter is henceforward no longer a principal dignitary but a petit-canon elected annually<sup>2</sup> and responsible to the weekly chapter on Saturdays for a list of the attendances at Chapel, and the fines of the absentees. The *Informator puerorum* or Grammar Master, called also the Grandsire of the choristers, is now appointed annually; and keeps school for them and 10 other boys from 6 to 8 in the morning<sup>3</sup> and from 12 to 2 in the middle of the day, while the music master teaches them to sing and play instruments at other hours. By the end of 1550 John Marbeck and his companion are no longer needed to play the organ, for organ-playing has ceased: apparently part-music is less regarded, but Latin is required of lay-clerks, perhaps because it is still in use in the choir, but possibly only with a view to the future ordination of the singers to the ministry. The two Chantry priests of Edward IV have become preachers; the rest seem to have been merged in the petit-canons, and their quarters are assigned to the Lecturer. The quarters of the petit-canons are given over to the schoolmasters. For the moment the Lecturer is one of the College, and as such is already housed; his new quarters therefore can be used by the priests so long as they keep commons. But before long it is anticipated that they will be married men and will keep commons no more.<sup>4</sup>

Some of these anticipations were soon to be very rudely upset: but meanwhile the data of this group of documents throw valuable light on a period of rapid transition. While

<sup>1</sup>Elsewhere the lecture takes place three times a week, e.g. at Lichfield, where Dr Ramridge was sent by the Archbishop as Lecturer in 1548. *Act Book of the Dean and Chapter*, f. 147<sup>v</sup>.

<sup>2</sup>But the later set of injunctions make the office permanent.

<sup>3</sup>Or when Mattins is at 7, for an hour before and an hour after.

<sup>4</sup>The effect of the disappearance of the commons was soon so pernicious that strenuous orders were given by the Visitor in 1570-1 to the effect that one of the Houses of Common should be restored. See below, iii, 246.

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there is thus much that presupposes and illustrates the First Prayer Book, it is to be noted that the short-lived Book of 1552 on the other hand finds no mention: Holgate's Injunctions for York Minster fall in the period between the passing of the Act of Uniformity in April and Nov. 1, the date when the use of the new Book became compulsory. The archbishop has the book in view, though there is no direct reference to it. On the other hand he makes direct mention of the *Forty-two Articles*, which were at this period in the making, and were to emerge more definitely a year later.<sup>1</sup>

All the last years of the reign were taken up with the crowning and meanest act of spoliation, the confiscation of the Church goods in order to meet the King's "need presently of a mass of money." Ever since the beginning of the reign covetous eyes had been turned in that direction. At Lichfield the Chantry Commissioners came and made inventories, April 11, 1548. Four years later (Ap. 29, 1552) there was a fresh invasion: the emissaries entered the Treasury in the Dean's absence and the next day removed all the ornaments and vestments and sold them for next to nothing, reserving at the same time the best jewels for the King. This was typical procedure: but it was not the end. On May 18 a fresh emissary appeared. He took all the silver censers, the best copes and two mitres: he poured away the Holy Oils, broke the flasks and carried them away with the rest of the spoil.<sup>2</sup> As time went on and devastation deepened, it had become increasingly easy to identify any ornaments of value with superstitious abuse, and to make an indiscriminating sweep of everything which would fetch money. There is little sign of this to be found in Holgate's Injunctions for his cathedral, unless the cessation of organ-playing was combined with some destruction or sale of the organs. Indeed while the bishops were being robbed no less than the cathedrals and the parishes, for the further impoverishment of the poor and the enrichment of rapacious *nouveaux riches*, silence was the only possible policy, and the fitting accom-

<sup>1</sup>ii, 320.

<sup>2</sup>*Chapter Act Book*, ff. 149, 158<sup>v</sup>, 159.

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paniment of the lowest depth to which the English Church has ever sunk.

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The greater part of the space occupied by Marian documents is taken up by Bonner. In fact after the Queen's Articles of March, 1554, there is nothing available that is not from his pen until we reach Pole's Articles more than two years later. There was no use made of visitation until parliament had undone the work of the previous reign. Even then there was no Royal Visitation but only a set of Royal Articles. It was the irony of the situation that many of Mary's early reactionary measures had to be carried through in virtue of the Royal Supremacy, and some of them even with the title "Supreme Head," which she was, no doubt, eager to drop. The power was well used when it aimed, as it did in these Articles, at the restoration of the impaired authority of the bishops. It was necessary, further, that some direction should be given as to the married clergy: the Act authorizing their marriage had been repealed and a royal proclamation had suspended married clergy from their spiritual ministrations.<sup>1</sup> But more direction was wanted as to the practical outcome of the recent proclamations and acts of repeal, which touched the service-books, the Holy days, the ceremonies, etc.; and the vexed question of the Edwardine Ordinal and its value had to be also handled. These needs were met by the Royal Articles (Doc. XLVII).

When Bonner began his visitation the formal reconciliation with Rome was imminent. Ridley had exchanged places with him in prison, and the diocese of London was to go through a corresponding reversal. The Articles and Injunctions savour much more of the genuine Bonner than his earlier injunctions of 1542, which seem hardly to have been his own: the preface exhibits the rough kindliness, and

<sup>1</sup>ii, 326.



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the articles the heavy hand and loud tongue, which were all alike characteristic of him. At the same time he follows in places the language not only of his own previous Injunctions but that of his predecessor<sup>1</sup> Ridley's Articles, and even at times, that of the rubrics of the Prayer Book.<sup>2</sup> More constantly he goes back to the medieval canon law and to English Constitutions, especially in regard to ornaments; for the main burden of the whole document is the restoration of the medieval position.

The Cardinal apparently made no visitation until he was consecrated as Cranmer's successor (March 22, 1556). As Legate he had held a Council and published Constitutions,<sup>3</sup> being duly authorized thereto by Royal Letters Patent of November 2, 1555. They were published February 10, 1556, and covered considerable ground. He had also a year previously issued directions to the Bishops and their Officials. In both of these pronouncements emphasis was laid upon visitation,—in the earlier document as providing the natural way of effecting the reconciliation with Rome in detail, and in the later on account of its general utility. There is naturally considerable reference to both these forms of previous action in the Visitation Articles of the Archbishop. He spread the visitation of his own diocese and peculiars over a considerable time, and there the operation ranked as an "ordinary visitation." He acted apparently throughout by commissaries. The work began at the cathedral on May 18 with a Mass of the Holy Ghost sung at the High Altar by Thornden the Suffragan Bishop of Dover in his mitre and pontificals: a sermon was preached, but otherwise the proceedings were formal and the Visitation was prorogued till Oct. 27. The strict requirements of canon law had been met by beginning the work at the cathedral, and thereafter the Visitation could go forward elsewhere. The diocese was dealt with in May, but for some reason matters moved more slowly in the peculiars. Some of the work was left over into 1557 and even 1558:

<sup>1</sup>e.g., in Nos 9, 14, 24, 76, 78.

<sup>2</sup>e.g., in Nos 20, 21.

<sup>3</sup>Cardwell, *Doc. Ann.* No. xxxvii.

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and the second set of Articles (Doc. LIX) seems to belong to the later stages of one and the same visitation rather than to a fresh one. It is interesting at this juncture to note among the Commissions issued by the Archbishop, one appointing Robert Collins Commissary general to visit the town of Calais and to enquire into the "heresies" as well as the (more normal) "crimes and excesses" of the inhabitants there:<sup>1</sup> for within five months this last foothold of England abroad was captured by the French.

In the Province generally the Visitation took a metropolitan form:<sup>2</sup> in some cases, where information is forthcoming, the diocesan bishop is found to be acting as the metropolitan's commissioner. The proceedings were more noteworthy for the holocausts that they occasioned than for the documents that they have left behind: but an exception must be made in favour of the Lincoln diocese; for that occasioned not only two items in this series (Docs. LIII and LIV) but also a collection of *comperta* preserved by Foxe<sup>3</sup> and printed by Strype,<sup>4</sup> which reveals in interesting detail the steps that were being taken to enforce the Marian system and abolish the Edwardine.

In 1557 the Cardinal sent Commissioners to visit the Universities of Oxford and Cambridge, being Chancellor of both, and in 1558 he visited, also by deputy, the College of All Souls of which he was official visitor. There is little information as to the latest of these actions:<sup>5</sup> similarly there is little recorded of the University visitation at Oxford except some speechmaking and the solemn exhumation and exposition on a dunghill of the body of Peter Martyr's wife.<sup>6</sup> At Cambridge the historian is more fortunate: for he can follow in grisly detail the fantastic trial of the dead Bucer and Fagius, the digging up of their bodies and the indig-

<sup>1</sup>See the documents in the *Pole Register*, ff. 15, 20, 21, 27-29, 31-34.

<sup>2</sup>Pole's Articles (Doc. LI) would probably be better described as being for the Province in view of No. 51.

<sup>3</sup>See Dixon *Hist.*, IV, 593-607.

<sup>4</sup>Strype, *Mem.*, III, II, 164 (No. LI).

<sup>5</sup>Formal documents are to be seen in the *Pole Register*, f. 35<sup>v</sup>.

<sup>6</sup>Foxe, VIII, 296, and Strype, *Ann.*, VI, 472.

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nities and final burning that befell them in the Market Place. These were unusual features of a visitation.<sup>1</sup> There is full information also at hand as to the more normal features recorded in the long *Acta* from which Document LVIII is taken. The Injunctions themselves are worthy of special notice because they give a picture of the Marian scheme of ceremonial, and of the foreign customs which it for the first time introduced to English churches.<sup>2</sup>

The Durham document (No. LVII) has an interest of its own, partly because it hails from Tunstall, of whose proceedings we know only too little: partly also because the cathedral there holds a unique position as having received statutes from Queen Mary and as being still governed by them. The cathedral body had originally been reconstituted by Henry VIII in 1541: the closing days of Edward VI saw a more violent attack made upon that cathedral than any that had gone before, but the young king's death defeated the spoiler. Mary restored the position, and, under an Act of 1554,<sup>3</sup> enabling the Queen to issue new Statutes as her father had done for cathedrals and colleges, a fresh set was issued by the Commissioners and confirmed by the Crown.<sup>4</sup> Tunstall had a share, no doubt a chief share, in these, and his injunctions touch them at various points.

<sup>1</sup>Foxe, VIII, 258-296.

<sup>2</sup>See the sources quoted at ii. 415, and also an account of some of the proceedings printed at the end of Bucer, *Scripta Anglicana*.

<sup>3</sup>1 and 2 Mary 20.

<sup>4</sup>These statutes are printed in Hutchinson, *Hist. of Durham*, II, 118, but in an incomplete English version. The last chapter defines the Bishop's power of visitation, as in the similar Henrician Code.

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The documents of Elizabeth are headed like the Edwardine series by a set of Royal Articles and a set of corresponding Injunctions.<sup>1</sup> These follow closely the lines of the Edwardine precedent: and yet there is considerable difference to be noted. So far as the action is identical, the position is really different: for where Edward was innovating, Elizabeth was restoring a state of things, which had existed previously, and was now shewn by the Marian episode to be again needed. The closing Articles of the set were new. They throw some light upon the recent occurrences of Mary's reign, as well as the new requirements: but the Injunctions are of more lasting value, for they long continued to be a governing authority. The preface of them is significant. There is now no longer, as there had been in the corresponding Edwardine Injunctions, the assertion of the Supreme Headship, for Elizabeth had definitely repudiated it in favour of a more modest title and more moderate claims of Supremacy: and the opprobrious charge of "idolatry" is also dropped, in the spirit of the 51st Injunction. Such innovation as the new orders introduced is seen chiefly at the end of the set of Injunctions: the provision for married clergy (29) and ecclesiastical habits (30) are but a return to Edwardine ways though not to Edwardine Injunctions, as are also the Injunctions that are based upon the Prayer Book and the penal Act that enforced it. But there are many items that are new. Conspicuous among them are the provisions about quarterly sermons (4), about Rogations (19), about Schoolmasters (40-42), about unlearned priests (43), about music (49), and about the control of the press (51), and the two supplementary passages, dealing with the Supremacy and the Altar War.

Similarly when the Visitation, like its predecessor, touched the Cathedrals and the Universities, there was the same blend

<sup>1</sup>For the fullest account of this Visitation see Gee, *Elizabethan Clergy*.

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of old and new elements, the former largely predominating. At the Cathedrals the chief new features were (a) the liturgical directions, notably that ordering an early morning service additional to the provision made in the Prayer Book: and (b) the insistence on behalf of the Crown upon subscription by the clergy to a formula embodying the main features of the newest Settlement of religion.

This Royal Visitation occupied the third quarter of the year 1559. The ordinary episcopal jurisdiction was, as usual, inhibited meanwhile; but ten sees were empty through death, two others by the ejection of Marian bishops who had supplanted Edwardine occupants of the sees, and thirteen more through the deposition on other grounds of Bonner, White, Pates, Bayne, Watson, Thirlby, Goldwell, Morgan, Heath, Scott, Oglethorp, and later of David Pole and Tunstall. Simultaneously provision was being made to fill the vacancies by the consecration of five bishops in December, 1559, four more in January 1560 and three in March, and by the appointment of Barlow to Chichester and Scory to Hereford.

The first action of the new episcopate which we encounter is found in the Interpretations and Further Considerations (Doc. xi): these had considerable influence upon future proceedings and were a fitting result of the restoration of episcopal jurisdiction. This restoration may be illustrated by an outline of the history of the licenses for preaching.

The Royal Injunctions in 1559 restricted preaching to those who were licensed by the Queen, or either archbishop, or the diocesan, or the Royal Visitors.<sup>1</sup> The Bishops decided, in their Interpretations and in their Resolutions and Orders, that the Visitors' licenses should be called in.<sup>2</sup> All went smoothly then till 1565, when at the Queen's command Parker issued an order to the province calling in the licenses that they might be reconsidered and if desirable renewed.<sup>3</sup> A similar order figured in the Advertisements, but it was inconsistent with the earlier one in point of date.<sup>4</sup> In January, 1567 or 1567-8 the Ecclesiastical Commissioners emphasized

<sup>1</sup>iii, 11.

<sup>2</sup>*ib.* 60, 68.

<sup>3</sup>*Parker Corr.* ccxxxiii.

<sup>4</sup>iii, 173.

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this policy afresh,<sup>1</sup> in 1569 Parkhurst did the like;<sup>2</sup> a further review was ordered by the Canons of 1571,<sup>3</sup> and thenceforward the question of license is constantly in evidence. This one point thus may well be taken to illustrate the reorganization which was gradually effected, from the chaotic state of the first months of the reign down to the time when canonical legislation by the Church brings a settled policy.

Similarly the work of visitation had to be recovered by the ecclesiastical authorities; but, once recovered, it ran its normal course unbroken: and the new bishops as a rule took much pains to make this part of their work not merely effective but impressive. Parker made preparations to visit his province in the first half of 1560 and we have several documents illustrative of his work, besides a very interesting set of Interrogatories of an unknown Ordinary which seems to belong to July of that year. At the head of the new archbishop's proceedings stand his directions for the Commissioners that were on his behalf to visit his cathedral. They serve to shew that careful maintenance of the best of the old traditional methods, which was characteristic of him and of other bishops who followed his lead.

### *The Order to procede in the Visitation.*

1. *Furst* the Somners the night before every Session or directlie in the morninge to certefie of all apparannces that shuld be made at that tyme so that the Registers booke be perfectlie made before every sitting.

2. *Item* at eight of the clocke in the morning the Commissioners vppon the towling of a Bell to the morninge prayer shall resorte to the churche and there saye or singe the morninge praier appointed for Whitsondaie onely leaving out the lessons for more tyme to be had for the Sermond. Then saye or singe the letanye w<sup>th</sup> the hymne *Veni creator* and certeine Collectes.

3. Thes being donne the preacher shall goe to the pulpitte and preache att the moste not past one hower.

<sup>1</sup> See the document in the Appendix, p. 196.

<sup>2</sup> iii. 207.

<sup>3</sup> Ch. Hist. Soc. Edition, pp. 22, 76.

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4. *The* Sermon being donne, after silence made, the Commission to be reade by the principall Registor. Then the cause of the visitacion to be brieflie declared by one of the commissioners. Then the Questmen to be cauled, and, after Apparannce made and they all sworne, their charge shalbe geven vnto them by one of the Commissioners, monishinge them to make answeare directlie and articulatelie vppon their othes to every article in writinge or they departe the place.

5. *No* more shalbe taken for the copie of th'articles and Injunctions but ijd. And by no Clarke for the writing of there presentment or answer no more but iiijd. for writing and fynding also cleane paper for the same.

6. *The* Inquisitors thus being chardged shall departe to consider their charge, then the ministers and clerkes shalbe cauled and severallie talked withall towching their ministracions, doctrine, teaching and manners, howe they entred the ministrie by whome and vppon what testimonie. This donne then the Commissioners shall here and determine querells complaintes and controversies great and weightie matters Referringe to the hearing and determination of the most Reverend father in God lord Matthewe Archebussshop of Canturbury, etc.<sup>1</sup>

This form represents no doubt the usual procedure of the time<sup>2</sup>, and agrees with old traditional ways. Ten years later Parker modified it at his personal visitation of the Cathedral in 1570.<sup>3</sup> The procedure in some respects is more fully traceable in Grindal's *Visitation Book*, which describes his action in 1561.<sup>4</sup> The work began at the Cathedral on April 17: the Dean and Chapter, with the clergy and choir went in their surplices to the palace to escort the bishop, and brought him thence to the West door of the Cathedral. The bishop, wearing his rochet and chimere, entered there, and they followed up the nave into the choir, where the bishop occupied the Dean's stall during the singing of the Litany. He then preached, and on his return to the

<sup>1</sup>*Parker Register*, f. 301.

<sup>2</sup>Cp. Jewel's proceedings at Sarum, April 6, 1562, in *Holt Register*, f. 143.

<sup>3</sup>Strype, *Parker*, i, 303.

<sup>4</sup>See Appendix below, p. 190.

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stall a psalm was sung.<sup>1</sup> Then the procession led the way to the Chapter House and the legal business began. The documents of the citation and other preliminary forms were put in evidence including the schedule of names of those undergoing the visitation. The Dean and the rest in turn professed their obedience to the bishop, who thereupon addressed them on the subject of the visitation and pronounced a sentence of contumacy against those who were absent. An adjournment was then made for dinner at the Deanery, but business was resumed in the Chapter House at 3 p.m. Some discussion took place about the observance of the Statutes, and the Dean and Chapter were told to produce later on their copies of the Statutes together with the Injunctions recently given by the Royal Visitors, and an inventory of all the goods and ornaments in possession of the church since the beginning of Mary's reign. On the next day, April 18, Letters of orders and titles to the benefices, etc., were to be exhibited, and this no doubt was done though the Acts do not mention it. Further, the enquiry and presentment was made of any matters requiring reform: in the morning the Dean and the major and minor canons only were examined, for want of time. Next the minor canons were examined as to their Statutes. The turn of the rest of the staff came in the afternoon. Then the business was adjourned till May 29.

Meanwhile the visitation went on during the four days April 21-24 in four churches in the City; and subsequently four sessions were held for Essex, four for Herts and two for Middlesex. The diocese having thus had its turn, the Bishop returned to the Cathedral on the day appointed. He inspected the Statutes, but was dissatisfied with the failure of the Dean to produce the injunctions and with the imperfect inventory which the Treasurer shewed: and gave them till July 1 to remedy the defects. The "Declaration of Certain Principal Articles" was read<sup>2</sup> and ex-

<sup>1</sup>The opening cited seems to agree neither with the Prayer Book nor with the metrical Old Version at any of the likely psalms, viz., cvi, cvii, cxviii, cxxxvi.

<sup>2</sup>*Doc. Ann.* XLVI.



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pounded by the Bishop, and a day was fixed on which everyone was to subscribe to it. Those who had been absentees before were examined now, and the day's work ended. The work was resumed on July 1 by the bishop, and on the 2nd the Vicar General attended and postponed further business till October 6. Nothing of importance was done then, but on December 2 and on four days in the year following, April 9, June 22, October 5 and November 16, 1562, the proceedings continued. The later sessions specially concerned those who had got into trouble, as some did, for refusing subscription. On December 2 the four admonitions (Doc. *xxi*) were given. On June 22 some injunctions were given for the choir which have not survived; unfortunately, since they concerned the use of the organs and the method of singing.<sup>1</sup> The Order for preaching turns<sup>2</sup> with the two sets of Injunctions (Docs *xxii* and *xxiii*) were given to the Dean and Chapter for their consideration at the penultimate session, and were laid upon them formally at the last. There still remained after all these repeated sessions three obdurate minor canons who would not subscribe: their opportunity for doing so was extended till Candlemas and then the Visitation ended with an exhortation from the Bishop.<sup>3</sup>

### §30.

A fresh section must be devoted to the details of the Metropolitan Visitation of 1560–1563: for it was in itself of special importance, and happily there are somewhat full records of it available in the careful archbishop's Register. Originally

<sup>1</sup>*Deinde dominus Injunctiones quasdam in scriptis publice proposuit et promulgavit, modum et usum organorum formamque canendi in choro concernentes, quarum copias cantatoribus ecclesie dari decrevit, petiitque ab eis observari. Visit. Bk, f. 11.*

<sup>2</sup>This is not printed, but it can be easily imagined by looking at the similar list for York: *iii.* 352.

<sup>3</sup>See Visitation Book in the Registry of the Bishop of London, and Strype, *Grindal*, cap. vi, where some further details from the later sessions are noted. The record of the first day is printed below in the Appendix, p. 190.

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it was to have begun early in the year; but it was deferred from May till September, in order to give the clergy a breathing space.<sup>1</sup> The citations for the cathedral and diocese of Canterbury were sent out on August 19: on September 11, Alexander Nowell, soon to be Dean of S. Paul's, Dr Yale the Vicar General, with Edward Leedes and Dr Stephen Nevinson were appointed commissioners to act for the Metropolitan both at Canterbury and Rochester; on September 17 they began their work at Canterbury Cathedral, armed with the directions printed above. The schedule presented by Dean Wotton shewed eleven prebendaries, six preachers, eleven minor canons (besides Epistoller and Gospeller), one place being vacant by death, twelve lay clerks, eight choristers with their Master, fifty scholars and two masters belonging to the Grammar School, twelve bedesmen, two subsacrists, two vergers, four bell ringers, a manciple, two butlers, two cooks and four porters. After the usual formalities and the reprehension of Turnbull a prebendary and three preachers who were absent and unrepresented, enquiry was made on oath as to the state of the church. The Minor Canons reported that their full number of twelve was not made up except by importing men from the town at a salary of 8*l* a year: the Subchanter thought there was negligence in coming to service, and some drunkenness and quarrelling among the minor canons. The Bedesmen reported all well, except one who disapproved of the position of the Communion Table. The Bellringers owned that they had rung on "Becket's Even." This seems to have been a survival, like the "*Anime omnium fidelium*" which, as a minor canon said, occasionally slipped out by mistake.

The Vicedean and prebendaries seem to have been more definitely confronted with the Visitation Articles (Doc. xii) than the foregoing lesser officials, and they gave their replies to them in order. There was a general agreement

<sup>1</sup>The earliest inhibition is addressed to Hereford, May 17, 1560 (Wilk. *Conc.* iv, 19). Ten days later a general inhibition (*Parker Corr.* lxxx) announces that the opening of it is postponed. Apparently Sandys had already visited on his own account, or was doing so when Parker began. See *Parker Corr.* xc.

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that the Master<sup>1</sup> and Usher of the Grammar School were unsatisfactory, and that the school was badly managed. Newton a prebendary was reported as being no priest, and Mowbray, a minor canon, as being given to drinking and quarrelling. Beyond these things there was little to be reported except that Pole's arms and Cardinal's hat were still hanging in the church; and little reform suggested except that the Six Preachers should be made to keep turns of residence, so that two were there for four months at a time.

The day following was occupied in the visitation of the Hospital of S. John, when Statutes drawn by the Archbishop were delivered to the Prior, Prioress, Brethren and Sisters of the foundation.<sup>2</sup> Next the Commissioners dealt with the diocese: the clergy had been summoned to attend with the wardens and either six or four other laymen as parochial representatives: and to be ready to pay their procurations and exhibit their letters of orders, titles, dispensations, etc. The Visitation court was also to be attended by all who had any testamentary business pending. Two sessions were held at St Alphege, Canterbury, each allotted to two deaneries: similarly two sessions at Ashford, one at Sittingbourne; and one at Maidstone for a single deanery, September 19-28. On each occasion a sermon was preached, the formal presentments took place and defaulters were pronounced contumacious. There was, as a rule, some testamentary business to transact, and occasionally some other matter which could not be settled on the spot, so arrangements were made to take it later. A quarrel between Justinian Grigeby and his wife was made up; the wife was ordered to return to her husband, and his mother was admonished to leave them in peace. A more serious case was that of John Mantell of Goodhurst who admitted that he had expounded scripture in spite of being inhibited by the archbishop: and was thereupon suspended. Thus ended the Visitation of Canterbury; on November 11 a Commission

<sup>1</sup>Apparently John Twyne soon disappeared and Anth. Rush took his place. See *Parker Corr.* ciii.

<sup>2</sup>Strype, *Parker*, Appx No. xii.

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was appointed to deal with the deferred business which remained, over and above what had been done by the original Commissioners in London during October: and one case is entered in the Register as a specimen of the clearing up that was done.

Meanwhile the metropolitan's Visitors had passed on to execute the second part of their task at Rochester. We again have a detailed picture of the doings at the Cathedral. The Dean, Canons, Minor Canons, Choir and Bedesmen were examined on the same articles. Some carelessness was revealed as to the maintenance of the sermons and attendance at Communion: and on October 2 the last day of the Visitation the Dean was ordered to see these defects remedied. Here, too, the school was said to be ill managed and the number of Minor Canons was short. Some complaints of immorality were made by successive witnesses: the case against one of the choirmen broke down before the three days of the visitation were over: but other charges were not so easily repelled, and some business of this sort arising both from the cathedral and from the diocese was left over to be despatched subsequently. Two sessions seem to have been enough for the four deaneries of the diocese, the former at Rochester and the latter at Dartford.

No detailed evidence is forthcoming of the course of the visitation in other dioceses of the province. As a rule there is little but the formal commission entered in the Register, though there is some record of business transacted in the case of Peterborough where again Yale and Leedes acted as the metropolitan's commissioners. Commissioners were also appointed for Coventry and Lichfield (August 8, 1560) and for the vacant dioceses of Gloucester (December 3) and Oxford (April 24, 1561): but as a rule the diocesan bishop was appointed to visit for the metropolitan.<sup>1</sup> This arrangement led to an interesting protest. When Bishop Jewel was commissioned to visit his cathedral and diocese (and the neighbouring Bristol too, being vacant), September

<sup>1</sup>So at Salisbury, Bath and Wells, St David's, St Asaph, Bangor, Exeter, Worcester, Hereford. Information is wanting as to London, Winchester, Lincoln, Norwich, Chichester.

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8, 1560, the Chapter protested that this was an infringement of its rights, and on the following November 9 the metropolitan commissioned two others to do the work in Jewel's stead.<sup>1</sup> The like misgivings seem to have been anticipated at Hereford, where the Chapter's exclusion of the bishop had been more stoutly maintained than anywhere else; accordingly when the turn of that diocese came, the bishop was entrusted alone with the diocesan visitation, but for the work at the cathedral the Bishop of Worcester was associated with him as his fellow-commissioner. The latest diocese of which we have record is Ely, where a visitation, held in August 1563 or later, seems to be part of these metropolitan proceedings (Doc. xxix).

Nothing is known of the Visitation as it concerned Chichester and Lincoln: nor is it clear whether Grindal's visitation in London in 1561 and Parkhurst's at Norwich in the May of that year (of which documents are here included) were taken as the equivalent of the metropolitan visitation or were independent. The same may perhaps also be said of Horne's Visitation of Winchester in 1562. No evidence is otherwise to be had of the metropolitan visitation in those three dioceses.

It must not be forgotten that it was in connexion with this action that Parker made his great enquiry<sup>2</sup> into the condition of the clergy, the result of which is seen in a valuable set of statistics concerning the clergy and parishes of the province. This lies outside the limits of our enquiry:<sup>3</sup> but before leaving this important visitation some attention must be given to the archbishop's proceedings at the Oxford Colleges of which he was visitor.

<sup>1</sup>The Bishop seems, however, to have triumphed, for the Injunctions were given by him as metropolitan visitor (Doc. xvi and *Holt Register* f. 127).

<sup>2</sup>The first enquiry was made November 18, 1560 (*Parker Corr.* xci) and it was repeated to those who had not satisfied the archbishop again on October 1, 1561 (*Ibid.* cxi). The Returns are vols cxxii and xcvi of the Parker MSS at Corpus Christi College, Cambridge.

<sup>3</sup>See Frere, *Hist. of Engl. Church in the Reigns of Elizabeth and James I.* pp. 104 and ff.

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### §31.

The metropolitan had planned to go in person in May, 1562, because of the trouble that had been disturbing Merton for some time, but at the last moment he sent to Merton three Commissioners<sup>1</sup> instead, two lawyers, Dr Yale his Vicar General and Dr Kennall, and a doctor of medicine, John Warner. At All Souls, which was visited second on May 28, the two former alone were Commissioners, for Warner figured there as Warden of the College. There was nothing but formal business done and the matter was soon over. At Merton, on the contrary, the work, which began on May 26, was strenuous. A few months earlier the Warden, James Gervis, had resigned or been ejected, as a favourer of the Marian policy; and trouble had been brewing ever since. William Hall one of the fellows had headed a body of Gervis' followers and shut the doors against John Man, whom the Visitor sent down to be the new Warden. This was not all. He and four or five others, while outwardly conforming, attending the chapel and communicating, were at heart out of sympathy with the new state of things, and hoping for another change. In view of this, "soon after that the masse was last putt downe by publique auctoritie,<sup>2</sup> Mr Hall with one or two more did hide under a pece of our quere almost all our popishe bookes of service, with divers other monumentes of superstition where they do lie still as yet."<sup>3</sup> At the Royal Visitation Hall had conformed, but "since that time he traveiled with a scholar of his owne to perswade him to papistrie." Later his wrath was raised by the Genevan psalms which were substituted for the old Latin hymns sung after dinner on Holy days. On All Saints Day, when he, as Senior Dean, ought to have started the singing, he was absent; and when a brother fellow named Leche started the

<sup>1</sup>Their commission is dated May 22.

<sup>2</sup>*Parker Reg.* f. 323.

<sup>3</sup>"Reserved as though men hoped for a daie," *Ibid.* f. 324.

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*Te Deum*, he rushed in, knocked the book out of his hand and with violent words stopped the singing. These disputes, which were really based upon the religious differences, soon spread to other matters. There were charges made of immorality, slackness in keeping accounts, abstraction of books from the College Library, and so forth. Hall had also usurped a seniority which did not belong to him, and tried to override the fellows who were opposed to him and his four or five confederates. When it was decided that Benyon, after he had been guilty of a cowardly assault with a dagger, should only remain a fellow on his good behaviour, and that the Warden might at any time expel him, Hall wrote against the entry in the Register, *Notandum quod hec omnia que de D. Bynnion hic scripta sunt sunt minus vera*. But the chief offence was the attempt to exclude the Visitor's nominee: and, to make matters worse, in that effort Hall seems to have had support from others beside his usual following. He therefore set about to persuade the college corporately to go to law in order to secure Man's exclusion; but here the main support broke down and only four of his party seem to have gone with him.

The shutting of the door against Man was evidently no mere farce. The horse-keeper of the College was in charge of the situation, assisted by another servant and backed by the scholars and six of the fellows. When the prospective Warden appeared he was assaulted and the Statute book was plucked out of his hands. He almost succeeded in getting through the gate but was then carried back outside and excluded. With such a state of things prevailing, it was evident that the Visitor must intervene both speedily and forcibly; and in consequence a lively picture has been preserved for us to contemplate.

When the Visitor appeared upon the scene, May 26, 1562, the College was assembled in chapel and M. Nicholas Robinson preached an eloquent Latin sermon on the text *Capite nobis vulpeculas* (Cant. ii). The schedule showed fifteen fellows, fourteen scholars, three chaplains, and eight servants, of whom only some were present, thirteen, nine, two and four respectively. All were confronted with the

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Articles (Doc. xxiv), and sworn to give written answers by the afternoon. On the following day Man was meekly accepted as Warden, and an adjournment was made from the Warden's house to the Common Hall, which served as Chapter House, where the new Warden was sworn. After returning to the Warden's house he was ordered to see that the vacant fellowships were filled up, and that an inventory of the jewels, etc., with a terrier of the property, leases, etc., was made within thirty days. The same afternoon this exordium was followed by its natural sequel, the ejection of Hall from his fellowship and the suspension of Gifford his chief supporter; the rest of the recalcitrant were reserved to the archbishop's judgement; but Brooks the senior fellow, whose delinquencies were financial and moral, was convented and dismissed with a caution. A third day of visitation followed which was devoted to the giving of some verbal injunctions to the Warden and fellows as follows:

1. *Imprimis* ut aliquem alium officiarium in locum Will-elmi Hall deprivati assumant.
2. *Item*, ut sese corrigant in vestitu ad magis clericalem.
3. *Item*, ut ne quis duo gerat officia in dicto collegio.
4. *Item*, ut septimanalis convictus computetur per Bursarium hebdomadarium.
5. *Item*, ut unus semel in quolibet anno habeatur generalis computus.
6. *Item*, ut tempus absentandi a collegio diffinitum sit.
7. *Item*, ut tres tantum in medicinis studeant in dicto collegio et non plures.
8. *Item*, ut bacchalaurei depositum declamandi morem reassumant.
9. *Item*, ut statuta et decreta dicti collegii de non recipiendis aut exponendis pecuniis per Bursarios stricte observentur.
10. *Item*, quod statuatur tempus claudendi portas singulis noctibus.

This was apparently the end of the Visitation<sup>1</sup> though

<sup>1</sup>Some other details are given in Strype, *Parker* 115. The full documents



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actually only an adjournment till October was made at this point. The further dealings of the archbishop with Merton that are recorded belong to another visitation in 1567 (Doc. XLIV).

### §32.

It has seemed desirable to give a full account of this first Visitation of Parker, because of its representative character, and because of the unusual fullness of the records. The later occurrences must be dealt with more briefly, though indeed Horne's experiences with his Oxford Colleges deserve as fully as Parker's a detailed description.<sup>1</sup>

The greater part of the iconoclasm was over by the time when the bishops took up the government of their dioceses. It had been the spontaneous expression of the general feeling of relief when once the dark night of the Marian horrors was over. The excesses were themselves due to the revulsion of feeling, and must be excused on that ground, if any excuse is to be allowed for a devastation that was as illegal as it was barbarous and irreparable. Thereafter the main object of the rulers was to preserve what had been left, and make good the breaches in walls, windows and sanctuary floors. The bishops as a whole were glad to let many of the vestments and ornaments be done away with, by mobs or even by officials, as "monuments of superstition"; for it saved them from the difficulty of enforcing the Ornaments Rubric, except so far as to ensure the barest minimum. On occasion they themselves too found it convenient to attach the stigma of superstition to Marian vestments and ornaments, and so to feel justified in ordering their destruction. But these documents show little trace of that. Parker is more anxious to build up than to pull down, and makes but a brief

will shortly be accessible in the Canterbury and York Society's edition of the *Parker Register*.

<sup>1</sup>They are given fully in his *Register*.

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reference to the iconoclastic 23rd Royal Article.<sup>1</sup> The Interrogatories of 1560, and Parkhurst who copied them, were much more exacting, and they were ruinously successful. It is as difficult to find to-day any of the things there specially attacked, as it is to find an untransposed rood-loft in consequence of the Royal Order of 1561 or an unaltered Chalice.<sup>2</sup> But an interesting representation of "the descending of Christ into the Virgin in the form of a little boy at the Annunciation of the Angel" may yet be seen in the great East window of S. Peter Mancroft, Norwich, and some untransposed lofts may still be found in remote churches in Wales.<sup>3</sup> This second phase of iconoclasm was soon over, because the worst had been already done, and it was left to the Great Rebellion to inflict the crowning damage on the churches and their contents.

The various orders, royal and episcopal, and other documents which the early years of the reign produced, soon make their mark on the visitation records. In 1560 there is the Proclamation of September 19 against iconoclasm; in 1561 we have the Royal Letter for the New Kalendar and the Table of Commandments, the Order about rood-lofts, fonts, etc., and the Proclamation about behaviour in church and churchyard.<sup>4</sup> All these are soon in evidence, but there is one notable exception, viz., the unpopular Royal Letter forbidding women the Colleges and Cathedral Closes;<sup>5</sup> for to this apparently no reference is made. In 1563 there are the Articles of Religion, the Second Book of Homilies and the Admonition with Tables of prohibited degrees,<sup>6</sup> all of which figure speedily.

The vestiarian controversy, on the contrary, has left singularly little mark on this collection.<sup>7</sup> There is, of course, at times some insistence on the surplice, but little to show

<sup>1</sup>iii, 79, 82, 16.    <sup>2</sup>iii, 90, 104, 108.    <sup>3</sup>F. Bond, *Screens and Galleries*, 78-82.

<sup>4</sup>See *Doc. Ann.* LIV, LV, LXI. The Order is at iii, 108. For the first effect of them see iii, 117, 157, 140, 115.    <sup>5</sup>*Doc. Ann.* LIX.

<sup>6</sup>*Ibid.* lxiv and see iii 142, 151, 157. Probably also the Articles for government (Strype, *Ann.* i, ii, 562) which though formally abortive, were not without effect. They are in full in Corpus MS. cxxi. pp. 267-355.

<sup>7</sup>An interesting return as to conformity at Canterbury Cathedral is printed below in the Appendix, p.194.

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what a violent controversy was raging in 1565 and 1566. The documents of Guest for the Cathedral and diocese of Rochester give a good picture of the time.<sup>1</sup> Each of the two for the Cathedral calls for the surplice, but with no special emphasis, and there is no such entry in either of the documents for the diocese, nor in Bentham's proceedings of the same year. This evidence indicates the laxity which prevailed before the epoch when the Advertisements (Doc. xxxviii) from March, 1566 onwards, insisted on securing at least the surplice in the case of "every minister saying any public prayers or ministering the sacraments or other rites of the church."

These Advertisements, being practically an enlarged form of the Interpretations of the Bishops, were thenceforward associated with the Royal Injunctions.<sup>2</sup> They were of considerable importance until new Canons began to be made, from 1571 onwards, which in their own sphere superseded the less formal directions of the Church in the first decade of the reign. As regards the first set of canons the case is all the more remarkable because they failed to obtain the royal consent necessary for a formal promulgation. They were, however, published and acted on; for no doubt the Queen approved informally though not formally, and indeed her hand is traceable in some of the emendations that brought them into their final form. It is also to be noted that they were issued at the same moment as a Royal letter to the Archbishop enjoining better uniformity which seems to refer to the canons and tell the bishops "to proceed herein as you have begun."<sup>3</sup> The later canons, which were fully promulgated, fall outside the limits of the present volumes, and so they call for no discussion here.

The Cathedral bodies had been in a somewhat uncertain state ever since the beginning of the reign. Their Statutes were everywhere in more or less degree at variance with the existing state of things, and the Royal Visitors had not been able either in 1547 or in 1559 to deal at all fully

<sup>1</sup>iii, 151.

<sup>2</sup>iii, 198.

<sup>3</sup>*Doc. Ann.* lxxv, or *Parker Corr.* ccxcii.

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with the difficulties. The Cathedrals of the Old Foundation had medieval statutes which were still in the main unaltered. Those of the New Foundation retained much in their Henrician Statutes which had been left behind in the march of change. Queen Mary, as already noted, had been given power by parliament to revise the existing codes: she had given a new code to Durham and had in some degree authorized modifications elsewhere. Queen Elizabeth had been given the like power by her first parliament:<sup>1</sup> but it was not till 1562 that she delegated authority to act in her name in this respect to the Commissioners Ecclesiastical.<sup>2</sup> The results of this action seem to have been slow. The work was begun before the Second Ecclesiastical Commission was formed, in consequence of a Royal Letter of June 4, 1562, and seems to have been done chiefly by Parker, Horne and Cox with Dean Nowell, Archdeacon Watts and Dr Yale: but the records seem for the most part to have perished. A list which was made of "General Imperfections in the Statutes of King Henry"<sup>3</sup> has been preserved and some special provisions seem to have been prepared for individual cathedrals. But the course of events is not clear.

Some dealing with the cathedral constitution may be traced at Carlisle. A document of 1564 (No. xxx) embodies "certain statutes and ordinances" for the cathedral body. They emanated apparently not from the Commissioners Ecclesiastical but from some other body appointed by the Privy Council: and the relation of the one body to the other is not so far explained. Further, they seem to be *interim* directions; and they may perhaps be compared with a set of injunctions sent to Christ Church, Oxford, by the Lord Keeper, as Visitor, in 1563, "to be observed in the same till their book of statutes be fully finished." It is described as an epitome of the revised book of statutes which was being

<sup>1</sup> 1 Eliz. Cap. xxii; see Strype, *Ann.* I. No. xiii.

<sup>2</sup> Prothero, *Statutes and Const. Doc.*, p. 233.

<sup>3</sup> They are in Lambeth MS. 276, which is the only record of the Commissioners hitherto traced. They were referred to by Bishop Nicolson (*Letters*, ii, 342) in his contest with the Dean (Atterbury) over the visitation of Carlisle in 1707.

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made by the Commissioners and "already is in a good forwardness."<sup>1</sup>

Nothing further is known of the proceedings at Carlisle till October, 1571, when Bishop Barnes visited the Cathedral and gave injunctions. These have not been preserved, but they are indicated in Doc. LXV, which is drawn from a MS. preserved in the Chapter archives. A few weeks later the Ecclesiastical Commissioners began dealings with the Chapter on the subject of the Statutes; and in the following year a book of statutes, augmented and revised, was sent down from them to the Chapter for its future guidance.<sup>2</sup> This seems to have disappeared.

There is other evidence also<sup>3</sup> that the Ecclesiastical Commissioners had completed their work, so far as the New Foundations were concerned. On July 8, 1572, Parker proposed to submit the draft to Cecil or to some one appointed by the Queen to peruse it; but apparently at this point the whole project of revision was hung up, or else quashed. Parker's draft proceeded no further, or at any rate Cecil in reply seems to have made it clear that there would be no royal approval given to the new Statutes. For on October 10, 1572, Grindal, now archbishop in the Northern province, began a new and local project of revision at York—an Old Foundation:<sup>4</sup> and simultaneously Parker, in visiting his Cathedral, on October 7, 1574, made some injunctions as to the observance of the Statutes, which shew that they were still unrevised.<sup>5</sup> A further appeal, which he made in the following November in order to induce the Queen to authorize the revised code, also proved unsuccessful.<sup>6</sup>

Thus at York and Canterbury, and elsewhere too, nothing was done. The old Statutes remained in a very ambiguous position until Bishop Nicholson's quarrel at Carlisle with Dean Atterbury in 1707 brought up the question afresh, and led to an Act of Parliament, giving full

<sup>1</sup>Letter of Grindal to Cecil, Nov. 12, 1563 in Grindal, *Remains*, p. 282, No. xxxvi.

<sup>2</sup>Cp. Horne's dealings at Winchester, iii, 320, 324.

<sup>3</sup>iii. 350.

<sup>4</sup>iii. 357, 358, 362.

<sup>5</sup>*Parker Corr.* cccxxxix.

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validity to the Statutes as usually received since the Restoration.

The Elizabethan, scheme has lain buried ever since, except for some notice taken of it by Bishop Nicolson in drawing up his case against the Dean.<sup>1</sup> Some account of it will be found in an Appendix.<sup>2</sup>

The years 1570 and 1571 were years of activity in visitation, to judge by the documents that have survived; and the years following, up to Parker's death, were comparatively empty. The Archbishop himself was busy with another Canterbury visitation, and he continued to be busy in one place or in another. Throughout he had set the lead: Grindal's very full documents of 1571 had, it is true, in some respects more influence than any visitation document that Parker put forth: but the Canterbury proceedings remain as the models of action.

The Visitation of 1573 was in some respects peculiar:<sup>3</sup> and therefore it demands some treatment here, although the earlier doings of 1560 have been fully described above, and although both this visitation and its predecessor of 1569-1570 are to some extent known from the descriptions given by Strype. The disorders, which the archbishop suspected and found, led to drastic plans and dealings. From Sept. 23, 1573, down to Oct. 7 the work went on almost continuously for a fortnight. It is not clear that there were any general articles of enquiry: but all the people concerned had to make presentments; from these some sets of "objections," *i.e.* legal articles objected to a defendant, were drawn up, and the suspected persons were confronted with them and made to give formal answers on oath. Thus the methods of the ordinary ecclesiastical court were brought in to the proceedings of the visitation. These objections have not been preserved, but the answers to some of them are extant in Parker's Register. The Chapter as a body were confronted with twenty-eight charges, most of which they acknowledged to be true: besides these there were thirteen

<sup>1</sup>*Letters . . . to and from William Nicolson, D.D.* ed (Nichols, 1809) ii, 348-350.

<sup>2</sup>See p. 197.

<sup>3</sup>See the very full Acts for Canterbury, *Parker Register*, ii, ff. 10-22.

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brought against the Dean, and four against Bullen, one of the canons. The nature of the charge is not always clear from the reply: but it is evident that there had been much slackness in attending the sermons and lectures, some laxity in financial administration and in the more domestic management of the College, some weakening of discipline, and so forth: but no moral scandal of particular gravity. There was much enquiry as to some copes that had been sold, not made apparently with the view of securing that they should "be retained and be in use" as the Act of Uniformity had directed, but only of tracing the money that was given for them. The Dean defended himself stoutly and with apparent success against the charges laid to his door: but Bullen had to plead guilty to swearing, violent language, and several assaults. The articles objected to minor officials are not preserved nor yet the replies: there are, however, some records of the dealings with them, and the main upshot was an arrangement by which the Vicars, lay and clerical, had to read the "Declaration of certain principal articles of Religion" in the cathedral choir, two at a time each Sunday, morning and evening, after *Benedictus*, and *Nunc Dimittis*, respectively, until all had read it.

Further results of the visitation are to be traced in the two sets of injunctions printed as Doc. LXVIII A and B. The English set was given to the Chapter on Oct. 4, probably only by word of mouth:<sup>1</sup> but it appears to have been given later in writing in a slightly different form not now extant. The Latin set was given with more solemnity on Oct. 7, and the Visitation was adjourned. The Archbishop however seems to have felt uncertain as to the reality of the reform effected; for he planned for Dec. 9, 1573, an enquiry as to the observance of the injunctions. On receiving notice of this, the Chapter sent the Dean to London to interview the Archbishop. Negotiations followed, the enquiry was held, as arranged, by Dr Clerke on Parker's behalf: and on Dec. 24 the Chapter offered the archbishop 30*l* procurations in consideration of the unusual time and trouble spent

<sup>1</sup>Quos prefatus Reverendissimus pater monuit et eis injunxit ut sequitur, videlicet, etc., So the set is prefaced.

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over the visitation. Subsequently on July 5 they sent their certificate as to the observance of his orders, which went *seriatim* through each of the sixteen Latin injunctions and then dealt in turn with a set of five English injunctions given verbally at the Visitation and subsequently sent in writing. This set, as the answer shews, was not identical with the set of five printed as Doc. LXVIII A; but it was apparently very similar.<sup>1</sup> In the following November the Archbishop required from the Chapter a further certificate as to sermons preached between Michaelmas 1573 and 1574:<sup>2</sup> and this apparently ended his visitatorial dealing with his cathedral. In 1573 he was visiting the province, in 1575 he was called into to visit Winchester, and was also engaged in a controversy with the Chapter of Norwich about a visitation there *sede vacante*.<sup>3</sup>

Among the rest of the bishops Grindal was also conspicuously busy: and others no doubt were doing the work, though no articles or injunctions are forthcoming to tell details. A book at Peterborough is eloquent on the subject of the lost documents. It gives, first, an account of Scambler's visitation of 1561 at the cathedral and in the diocese, containing the Schedules, Acts, and some of the replies to the interrogations at the cathedral, but not the interrogations themselves, nor any injunctions either for cathedral or diocese. Next it gives Schedules and brief Acts of his visitation in 1570, ending thus:

*Injunctions made by the Right Reverend Father in God Edmund by the sufferance of God, etc. . . . 1570.*

First it is ordained that all and sundry injunctions given and made in my last visitation of the said chu . . .

It could hardly be more tantalizing. Again, to make matters worse, in the next book of the Peterborough series, there are the Acts, Schedules, and some Comperets of his visitation of the cathedral and diocese in 1573, ending thus:

<sup>1</sup>The replies to the injunctions are indicated in footnotes: (iii, 356) the full text is in Strype, *Parker*, i, 448, only so far as the Latin set is concerned. The certificate containing both sets of replies is in *Parker Reg.*, ii, 22.

<sup>2</sup>Strype, *Parker*, i, 468.

<sup>3</sup>*Parker Corr.* clxix, cxxviii.



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*Imprimis* whereas by the Statutes . . . . 8 petit canons  
1 deacon 6 sub-deacon 8 lay clerks ought to be continually  
to the cathedral church aforesaid belonging, what places  
void or vacations of any . . . .

This is probably a draft of interrogatories for the Cathedral which have otherwise perished.

When such losses are taken into account there is no need to regard the bishops as slack at this period in this part of their work.<sup>1</sup> Indeed if they were, they were likely to be recalled it by the great outbreak of presbyterian puritanism which began with the parliament of 1572, found its ablest exposition in the famous *Admonition to Parliament*, and evoked from the authorities two documents calling for vigorous measures of repression. These were the Proclamation of October 20, 1573, and the Council's letter to the bishops which followed it upon November 7.<sup>2</sup> Moreover the latter document made express mention of "your visitations episcopal and archidiaconal and your synods and other such meetings of the clergy, first and chiefly ordained for that purpose to keep all your churches in your diocese in one uniform and godly order, which now, as is commonly said (the more is the pity) be only used of you and your officers to get money or for some other purposes."

This letter was characteristically insincere in blaming the bishops for not repressing disloyalties which some of the same Privy Councillors were privily encouraging. It was not to the credit of the lay officials: but neither was it to the credit of the bishops, as a whole, though the better ones might well repudiate the insinuations, and did so.

If this charge is true, and in view of what is known of the corrupt character of the episcopate of the day it can hardly be denied, then it accounts for the absence of special documents. Probably the visitations were held even by the slacker bishops, but were carried out perfunctorily only, and, as in medieval days, with procurations, rather than

<sup>1</sup>There are at Lichfield Visitation Books of 1558, 1560, 1561, 1570, 1573, 1576, 1579, &c.—a regular triennial series.

<sup>2</sup>*Doc. Ann.* LXXIX, LXXX. Compare the Treasurer's speech in the Star Chamber three weeks later (Strype, *Parker*, i, 456).

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efficiency, in view. It was apparently only the more vigorous ones who took pains over the work; and it is precisely from the better sort of bishops that we have articles or injunctions surviving. Parker throughout sets the lead; and it is pathetic to see him sinking into his grave, dispirited and harassed, as well he might be, in view of the difficulties,—the unworthiness of many of his colleagues, the continual opposition of some among the most powerful, the irresolute and unhelpful attitude of the Queen, the half-repressed and very active forces of presbyterianism, the incipient signs that nonconformity was going to lead to separation,—but keeping up bravely to the last, and filling his last two months with the active proceedings of visitation in the willing diocese of Winchester and the ever recalcitrant diocese of Norwich. It is the fitting conclusion of this stage of the subject.

## APPENDIX I

### **C**ONSUETUDINES quoad jurisdictiones in ecclesiis Cathedralibus provincie Cantuar.<sup>1</sup>

Apud Sarum ita est optentum quod Decanus habet omnimodam jurisdictionem, tam in personis canonicorum et omnium in choro, quam in prebendis et ecclesiis pertinentibus ad communiam: nec episcopus in aliquo super premissis se intromittit, nisi per viam negligencie vel appellacionis. Episcopus insuper visitat Decanum et civitatem.

Apud Cycestr: Episcopus quando intendit visitare diocesisin prime intrat Capitulum, et si sint aliqua corrigenda que sunt communia, sicut defectus cooperture ecclesie vel similia, illa precipit reparari: super hiis autem que singulares concernunt, personas, prebendas, seu ecclesias pertinentes ad communiam, in nullo se intromittit, sed Decanus, nisi ut supra.

Apud Well. Decanus habet in capitulo et prebendis ac ecclesiis pertinentibus ad communiam omnimodam jurisdictionem: nec episcopus in premissis se intromittit nisi in casibus predictis. Visitat tamen Decanum.

Apud London. Episcopus de termino in terminum visitat Capitulum. Et prima die visitacionis pascet omnes canonicos presentes, nullam procuracionem recipiens. Prebendas autem et maneria ac ecclesias que sunt firme ad communiam pertinentes visitat Decanus, et, decanatu vacante, Capitulum.

Apud Linc. Episcopus visitat Decanum Capitulum et prebendas si velit, sine procuracionibus tamen. Sed et Decanus exerceret (sic) iurisdictionem suam tam in prebendis quam in ecclesiis pertinentibus ad communiam. Et est super premissis, que scilicet debeant Episcopus et Decanus

<sup>1</sup>From the *Magnum Registrum Album* of the Dean and Chapter of Lichfield, f. 184.

*Appendix I.*

facere, lata sententia diffinitiva per dominum Innocentium papam IV.<sup>1</sup>

Apud Exon. Ubi prebende consistunt in pecunia numerata sunt singulares observancie quantum ad multa que discrepant ab aliis ecclesiis cathedralibus Regni.

Apud Herford pendet causa inter Episcopum Decanum et Capitulum super premissis.

<sup>1</sup> See *Linc. Cath. Stat.*, i, 315; and above p. 75.

## APPENDIX II

### EXEMPT PLACES AND PECULIARS IN 1563

ON July 9, 1563, the Privy Council sent a schedule of enquiries to all the dioceses of England and Wales demanding a return as to the state of the diocese and clergy. The third of the enquiries ran as follows:

“Thirdly, What exempt or peculiar places are within the circuit of your diocese where you have not full jurisdiction as Ordinary, and what the names thereof be, and who hath the ordinary jurisdiction thereof at this present.”

The greater part of the answers returned are extant now in the MSS. Harl. 594 and 595 and Lansd. vi in the British Museum, and the parts relating to the third enquiry are printed here. No return from York or Oxford or Gloucester and Bristol is forthcoming. Most of the returns give a direct answer to the question; but in the case of Lincoln and Chester the information is given bit by bit with the long lists of parishes, and in the case of Sarum and Lincoln the return does not seem to be completely preserved. In further cases the episcopal information is probably not as full as it should have been. The spelling has been modernized except in the case of the bulk of the proper names.

#### S. ASAPH<sup>1</sup>

There is the parish of Hawarden in the County of Flint which claim exemption by reason of the late college of St John's in Chester, to whom it belonged: and now the parson of Hawarden named S<sup>r</sup> Thomas Jacson is Ordinary, and useth the jurisdiction by M<sup>r</sup> John Gwyn his commissary within that whole parish.

#### BANGOR

There are no exempt or peculiar places within the circuit of my diocese. And I have the full jurisdiction as Ordinary in all places within the same.

<sup>1</sup>From Harl. MS. 594. It contains the original enquiry as well, which is printed in full by Strype in his *Grindal*, p. 68 (101).

*Appendix II.*

BATH AND WELLS

To the third: there be exempted from me certain parishes whose names followeth with the names of them to whom the jurisdiction appertaineth.

To D<sup>r</sup> Turner, Dean of Wells.

Wedmore [with] Byttenham Alverton Mark members of the same. Carhampton Netherstowey Westbere with Prydie Westlydforde Benagre Dinder Chilcompton Evercriche with Chesterblake.

To the Dean and Chapter of Wells.

Northcurye [with] Gregoriestoke Wetschache members of the same, Longsutton [with] Upton Knoll members of the same, Chedder Lovington Lydiard episcopi Winsham Combe-St-Nicholas.

To M<sup>r</sup> George Carewe, Chaunter of Wells.

Pilton with a chapel called Wutton.

To M<sup>r</sup> John Leye Chauncelour of the church of Wells.

Kingsbere with the parish church of Estlambrook member of the same.

To M<sup>r</sup> D<sup>r</sup> Cottrell, Archdeacon of Wells.

Huishe [with] Langporte Pitney members of the same.

To M<sup>r</sup> Justinian Lancaster, Archdeacon of Taunton.

Milverton [with] Langforde Thornmergett Bathialton members of the same.

To M<sup>r</sup> Wm Bowman, Subdean of Wells.

Wokye.

The parishes whose names followeth be prebends of the church of Wells and the jurisdictions thereof appertaineth to the prebendaries.

Arshill, Henstridge, Buckland Dinham, Whytlackington, Compton episcopi, Tymberscombe, Compton Dunden, Haselber, Yatton, Eston in gordano, Estharp tre, Ilton, Wyviliscombe, Cudworthe, Lytton, St Decumans.

The parish of Lye by Bristowe is peculiar to the bishop of Bristowe.

Banwell [with] Churchill, Puxton, members of the

## *Appendix II.*

same, peculiar to the Dean and Chapter of Bristowe except the bishop be personally resident there.

Ilmyster was peculiar to the abbey of Muchelney; for the jurisdiction thereof there contendeth with the bishop the Earl of Hertford and the Dean and Chapter of Bristowe.

### CANTERBURY

There is no part of the diocese exempt from the Archbishop of Canterbury, but the said Archbishop hath the whole and plenary jurisdiction ordinary throughout all his said diocese.

### CARLISLE .

I know no exempt jurisdiction as yet.

### CHESTER<sup>1</sup>

Hawarden exempt, and the parson exerciseth jurisdiction there.

Holt is not certified because they allege to be of the diocese of St Assaphe.

St John's<sup>2</sup> exempt and the Castell of Richmund claim jurisdiction.

Danbie wisk exempt of the Castell of Richmound.

Romdalekirk exempt of St Leonard's of York.

Kirkberavensworth exempt of the Castell of Richmound.

Littleuseburne [exempt] and the jurisdiction belongeth to the Chapter of York.

The Vic. of Nidd is under the jurisdiction of Ripon.

Halton exempt and my Lord Dakers of the North has jurisdiction there.

Hornbie exempt of the Chapter of York.

Midlam exempt of York.

Massam exempt and the parson there doth exercise jurisdiction.

### CHICHESTER

Thirdly I have full jurisdiction throughout the whole diocese saving in the peculiar deaneries of Pagham in the Archdeaconry of Chichester and South Mallinge in the

<sup>1</sup>These are entries in a tabular return of the parishes of the diocese in a separate column headed "Exempts."

<sup>2</sup>In Richmond Archdeaconry, and following next after Gilling.

### *Appendix II.*

archdeaconry of Lewes, which be exempt under my Lord Archbishop of Canterbury: notwithstanding his Grace hath lately granted me the order of them by commission to my deputies. Also the Dean of Chichester hath certain privileges in the precinct of the City and suburbs of the same: howbeit to no derogation of my jurisdiction.

### COVENTRY AND LICHFIELD

The exempts or peculiar places within the diocese of Coventry and Lichfield and not of the bishop's jurisdiction hereafter follow.

In the County of Stafford, The City of Lichfeald, the parish church of Brewde, the parish church of Adbaston, appropriate to the Dean of Lichfield.

In the County of Darbie, the church of Bakewell, the church of Hope, the church of Tidswall, the chapel of Fryth, appropriate to the Dean and Chapter of Lichfield.

In the County of Stafford, the church of Rydgeley, the church of Horburne, the church of Cannock, appropriate to the Dean and Chapter of Lichfield.

Every prebend of the said cathedral church of Lichfeald and all churches and chapels of the same to be exempt from the jurisdiction of the bishop of Coventry and Lichfield.

The College of Wolverhampton with the chapels belonging to the same be exempt from the jurisdiction of the bishop of Coventry and Lichfield.

The church of St Maries of Salopp is exempt from the jurisdiction of the bishop of Coventry and Lichfield.

These persons following have jurisdiction in the said exempt and peculiar places as followeth.<sup>1</sup>

### DURHAM

There are no peculiar jurisdictions ordinary within the diocese of Duresm but that belongeth to the bishop of Duresm, except Hexham which standeth in Northumber-

<sup>1</sup>The List follows of the Dean and 17 Prebendaries, with "Thomas Relton being a layman and farmer of the deanery of St Maries in Salopp," and the Dean of Windsor who has the jurisdiction of Wolverhampton and its chapels.



## *Appendix II.*

lande, and all ordinary jurisdiction appertaineth to the see of the Archbishop of Yorke within that Lordship or Seignury.

### ELY

Peculiar places exempt from the jurisdiction of the bishop is none within this diocese but the parishes of Freknham and Islam in the peculiar jurisdiction of the Bishop of Rochester: and the parishes of Soham and Burwell of the jurisdiction of the Bishop of Norwich

### EXETER

#### ARCHIDIACONATUS EXON.

##### *Peculiaris jurisdictio episcopi Exon.*

Ecclesia parochialis de Crediton cum capella curata de Sandford ab eadem ecclesia dependente.

V. Tengtton episcopi cum capella curata de Westtyngmouth ab eadem ecclesia dependente.

V. Chudleygh, R. de Morchard episcopi.

##### *Peculiaris jurisdictio ven. virorum Decani et capituli Ecclesie cathedralis divi Petri Exon. infra archidiaconatum Exon.*

Ecclesia de Tapsam curata deservitur per stipendarium curatum, appropriata ecclesie cathedrali divi Petri Exon. V. Hevytre. V. Lyttelham. V. Dawlyshe cum capella de Estyngmowth ab eadem dependente. Ede capella curata que deservitur per stipendarium curatum. Stokecanons capella curata que deservitur per stipendarium curatum. Honyton Clyste capella curata que deservitur per stipendarium curatum. V. de Sydberye, V. de Salcombe. V. de Branscombe. V. de Colyton cum capellis curatis de Shute et Moncketon Giddon ecclesie annexatis. V. de Columpstocke.

#### ARCHIDIACONATUS TOTTON.

##### *Peculiaris jurisdictio domini episcopi Exon in archidiaconatu Totton.*

Vicaria de Peynton cum capella curata de Mareldon. V. de Stokegabriell.

## Appendix II.

### ARCHIDIACONATUS CORNUBIE.

*Peculiares jurisdictiones domini episcopi Exon in comitatu Cornubie sequuntur.*

Imprimis peculiaris jurisdictio domini episcopi apud Peryn. Vicaria de Gluvias cum capellis de Glaseneye et Budock, Vicaria de Milor cum capella de Lavape, Vicaria de Gerans.

*Peculiaris jurisdictio domini episcopi de Eglosayle.* Vicaria de Eglosayle, Rectoria de St Breocke. Rectoria de Ervyn. Vicaria de St Esye. Vicaria de Merryn. Vicaria de Evall. Rectoria de Petherocke alias Naufenton.

*Peculiaris jurisdictio domini episcopi Exon. de Lawhitton.* Rectoria de Lawhitton. Vicaria de Sowthpiderwhine cum capella de Trewhe. Rectoria de Lasant.

*Peculiaris jurisdictio domini episcopi Exon de S. Germano.* St Germaines. Vicaria de Lanrake cum capella de Erney.

*Peculiaris jurisdictio venerabilium virorum Decani et Capituli ecclesie cathedralis Exon. in comitatu Cornubie.* Vicaria de Peron in zabulo cum capella Sancte Agnetis. Vicaria de St Winnowe cum capella Sancti Sampsonis. Rectoria de Buccnocke. Rectoria de Bradocke.

*Peculiaris jurisdictio Regie maiestatis Sancti Buriani in comitatu Cornubie.*

Decanus Sancti Buriani ibidem.

### ARCHIDIACONATUS BARNASTOPOLIE.

*Peculiaris jurisdictio domini episcopi Exon in archidiaconatu Barum.*

Rectoria de Tawton episcopi. Capelle curate de Swymbridge et Lankey spectantes ad dignitatem Decani ecclesie cathedralis Exon. jurisdictionis tamen domini episcopi Exon.

*Peculiaris jurisdictio Decani ecclesie cathedralis Exon.* Vicaria de Branton.

## LLANDAFF<sup>1</sup>

To the third, There are no exempt nor peculiar places within the said diocese from the jurisdiction of the said bishop.

<sup>1</sup>From Harl. MS 595.

*Appendix II.*

LINCOLN

*Ecclesia Cathedralis Lincoln.*

Prebende in ecclesia cathedrali predicta in quibus prebendarii dictas prebendas occupantes habent seperalem jurisdictionem ecclesiarum. Quorum negligentias in non exercendo dictam jurisdictionem Decanus et Capitulum ecclesie cathedralis predicte habent supplere. Decano et Capitulo utique negligente Episcopus habet eorum negligentias supplere. Decanus etiam ecclesie predicte habet triennem visitacionem in prebendis predictis jure decanatus sui.

Aylesburye, Corringham, Heydor cum Waltham, Asgarbye, Leighton Bosarde, Carlton cum Thurelby, Stowe longa, Ketton, Brampton, Langford ecc., Welton paynshal, Welton Westhall, Welton brynkhall, Welton berkhall, Welton ryvall, Lidington Scamlesby, cum Melton rose, Leicester, Gretton, Bugden, Norton episcopi, Kyldesby, Mylton ecc., Merston, Stowe in Lindesay, Cayster, Lafford, Dunholme, Byckleswade, Nassington, Spaldwycke, Kelsay, Empingham, Lowthe, Carlton cum Dalbye, Bynbroke parcella prebende de Mylton maner'.

Memorandum quod prebende de Buckingham, Banburye, Thame et Cropredye sunt exempte ab ecclesia cathedrali predicta. Sed Decanus et Capitulum pretendunt habere ecclesiasticam jurisdictionem in eisdem prout ex antiquo consuetum fuit.

Prebende in quibus neque prebendarii occupantes easdem neque Decanus et Capitulum habent ullam omnino jurisdictionem ecclesiarum viz.

Farendon, Stoke, Clyfton, Scarle, Thornegate, St. Botolph, Omnium Sanctorum, Sti Martini, Crapole, Sutton in Marisco, Decem librarum, Centum solidorum, Sexaginta solidorum, Mylton man., Langford man.

Jurisdictio ecclesiarum suscriptarum spectat ad Decanum et Capitulum ecclesie cathedralis predicte conjunctim, que sunt numero duodecem† viz.:

Senerbye, Haynton, Glenthams, Skedington, Wellingere, Stribby Skyllington, Sancte Marie Magdalene, Frystroppe, Sancti Nicholai, Sancte Margarete, Bereton.

## *Appendix II.*

### *Archdeaconry of Leicester.*

Leicester, St Margaret's there a prebend in Lincoln, a peculiar jurisdiction, John Lounde prebendary having the same jurisdiction.

### *Archdeaconry of Stowe: in peculiar jurisdictions, viz.*

Freysthorpe in the jurisdiction of the Dean and Chapter of the cathedral church of Lincoln.

Dunham prebend John Somers prebendary there having jurisdiction. Welton prebends being five in number, John Warner, Gregory Dodds, Anthony Maxwell, William Williams, George Mounson, and hath jurisdiction severally every one a parcel of the same.

Glentham in the jurisdiction of the Dean and Chapter of the cathedral church of Lincoln.

Norton prebend Thomas Lark prebendary having jurisdiction of the same.

Corringham a prebend in Lincoln church, Francis Malett prebendary having jurisdiction of the same.

Kyrton, the Subdean of Lincoln church having jurisdiction of the same.

### *Archdeaconry of Bedford. Exempt jurisdictions.*

Langton Bozard a prebend of Lincoln whereof the prebendary viz. M<sup>r</sup> Gabriell White hath the jurisdiction.

Bickleswad a prebend of Lincoln whereof the prebendary M<sup>r</sup> John Man hath the jurisdiction.

### *Archdeaconry of Buckingham. Peculiar and exempt jurisdictions in Bucks.*

Ailesbury prebend of Lincoln whereof the prebendary M<sup>r</sup> Henry Malet hath the jurisdiction.

Buckingham late a prebend of Lincoln in the occupation of Sir John Mason Kt. who hath the jurisdiction there.

Risborow monachorum a peculiar jurisdiction appertaining unto the Archbishop of Canterbury who hath the jurisdiction there.

Birton a church appropriate appertaining unto the Dean and Chapter of Lincoln who hath the exempt jurisdiction there.

## *Appendix II.*

Winslow vic. Grenborow vic. Horwod parva vic. Abbats Aston vic., Churches in Bucksshire exempt from the Bishop his jurisdiction and appertaining to the jurisdiction of the Archdeacon of Saint Albans.

Badlesden a parish appropriated to the monastery late there: in whom the jurisdiction doth remain not known certainly.

*Archdeaconry of Huntingdon. Prebends and places exempt within the archdeaconry of Hunt.*

Buckeden a prebend in the church of Lincoln, Clement Parrat prebendary and resident at his benefice in Northamptonshire and hath the jurisdiction of the same.

Brampton a prebend in the church of Lincoln,—Rawlins prebendary and resident at Oxford and hath the jurisdiction there.

Hayghton a prebend in the church of Lincoln —Gille prebendary there and remaining at his benefice Toddington in the County of Bedford.

Stowe a prebend in the Church of Lincoln — — prebendary there and resident——. Spaldewycke Barram and Eston are members of the same.

## LONDON

The bishop hath full jurisdiction throughout all his diocese as Ordinary except certain churches underwritten whose jurisdiction pertaineth to others and not to the Bishop of London.

First these churches underwritten are peculiars unto the Archbishop of Canterbury, wherein the Bishop of London hath no jurisdiction, but altogether the Archbishop of Canterbury.

In the City of London.

E. beate Marie de Archibus: E. omnium Sanctorum in lumbardstreete: E. beate Marie de Aldermaye: E. sancti Pancratii: E. omnium Sanctorum in Breadstreete: E. sancti Johannis evangeliste: E. sancti Dunstani in Oriente: E. beate Marie Rothe: E. Sancti Vedasti vulgo St Fosters: E. Sancti Dionysii: E. sancti Michaelis Crokedlane: Ecclesia Sancti Leonardi: E. sancti Michaelis in Riola.

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In the County of Essex.

E. de Bocking: E. de Stisted: E. de Southchurche: E. de Laching et Laling.

In the County of Middlesex.

E. de Hayes: Vicaria ibidem: Vicaria de Harrowe.

These other churches underwritten be peculiars unto the Dean of Paules, and exempted from the Bishop of London's jurisdiction: the Dean of Paules and his Official having all manner of jurisdiction in them.

In the City of London.

E. Sancte Fidis: E. Sancti Gregorii: E. Sancte Ellene infra Bishopsgate: E. Sancti Egidii extra Cripulgate.

In the County of Essex.

E. de Chyngford: E. de Navestocke: E. de Runwell: E. de Westlee: E. de Haybridge: E. de Tyllingham: E. de Barling: E. de Wyckham Pauli: E. de Belsham Pauli: E. de Thorpe: E. de Kyrbye: E. de Walton.

In the County of Myddlesex.

E. Sancti Pancratii alias Kentishtowne: E. de Stokenewington: E. de Wyllesdon: E. de Chiswyke: E. de Westdreyton.

In the part of Hertefordshyre.

E. de Alberye: E. de Pellham furnys: E. de Pellham Arsey.

These Colleges and Hospitals undernamed are exempt from the jurisdiction of the Bishop and are appertaining to their several masters, viz.: The College of Westminster: The Hospital of Saynte Catherens: The Savoye: Horne Church in Essex belonging to the New College in Oxford.

MENEVEN (St David's)

There is no[t] any such exempt or peculiar place within any part of my diocese but all churches within the same are visitable by the Bishop, and all ecclesiastical jurisdiction is belonging only to him as Ordinary; in so much that the Archdeacons have no other jurisdiction in their said several archdeaconries but only to visit once a year by themselves or their sufficient deputies and to enquire of defects and crimes in their said visitations; and the same, immediately after that they have visited, to intimate and certify to the Bishop of the See or his Chancellor, that by them reprimation may be done.

## Appendix II.

### SARUM

These places following are exempt and under the jurisdiction of the Dean of the Cathedral church of Sarum.<sup>1</sup>

Mere, Byrtforde, Fighelden, Wantage, Idmeston (Westbure *erased*), Woodforde, Durneford, Netherhaven, Wynterborne Earles, Chritt, Burbage, Ramesbury, Bedwyn magna, Bedwyn parva, Busshopston, Highworth, Farrington, Blewbery, Calne, Blackeland, Mere, Haytesburye, Combe, Sonyng (Byrtford *erased*), Busshopes Canyngs, Honynghton, Bremshawe, Westburye, Alwardburye, Hungerford (Wantage *erased*), Ogborne george, Ogborne andrew, Shalborne.

### WIGORN

The Dean and Chapter of Christ Church in Oxon. do pretend and keep six churches situated in the Vale of Evesham within the diocese of Worcester viz. Hampton, Wykanford, Baddessey, Northebytleton, Sowthebytleton and Uffenham as exempt quite from the Ordinary of the said diocese; exercised by one M<sup>r</sup> John James as Official in that behalf of the same Dean and Chapter.

And that the Dean and Chapter of the cathedral church of Worcester do pretend and keep the said cathedral church, the churches of the borough, Saint Michaels in Bedwardyne, Wolverley, Tybreton and Kempsey, with the chapels of Norton and Stulton annexed to the same, as exempted from the said Ordinary, only in causes of correction and probate of testaments and committing of administrations.

And that the parson of Saynte Helen's in the City of Worcester doth pretend keep and exercise that his church and parish, the churches and parishes of Sainte Johnes in Bedwardyne, Wichenford, Claynes and Odingley as exempt from the said Ordinary in causes of correction only.

And that the parsonage of Saynte Nicholas in the said City now vacant pretendeth the like exemption in causes of corrections only.

<sup>1</sup> A tabular list. Margin has "Peculiars in the diocese of Sarum exercised by John James remaining at Sarum." See a different statement as to exempt jurisdiction in Bacon, *Liber Regis*, pp. 868, 869.

*Appendix II.*

And that the lord of the lordship of Hanley Castell pretendeth keepeth and exerciseth the church and parish of Hanley Castell as exempted from the said Ordinary in probate of testaments and committing of administrations only, by exhibiting of testaments and praying of administrations yearly as the parties do decease in lyte or law day without any further probate or confirmation either in writing or under any seal or record.

And that even in like sort the lord of the lordship of Naunton pretendeth keepeth and exerciseth the church and parish of Naunton as exempted from the said Ordinary.

And that the parson [of] Bredon pretendeth keepeth and exerciseth that his church and parish with the chapels of Norton, Mytton, and Cuddesdon to the same belonging

the parson of Ryple that his church parish and chapel of Quynhill appertaining thereunto

the parson of Fladdeburye that his church and parish with the chapels of Wyer pidle, Throgmerton, and Bradeley, parcels of the same

the parson of Hanbury that his parish and church

the parson of Hartleburye that his church and parish

the parson of Alvechurche that his church and parish

the parson of Tredington all that his parish church with the chapel of Tydmyngton, a member of the same

the parson of Busshops Hampton that his church parish

the churches and parishes of Alveston and Wesperton

the burgesses of Stratford upon Avon all that town and parish with also the chapel of Luddyngton, a member of the same

and the lord of the lordship of Beoley within the said diocese of Worcester

as exempt from the Ordinary of the same diocese in causes of correction, probates of testaments, and committing of administrations, and in none other wise or causes.

And that the proprietary of Temple Grafton and fermor of Shurbourn do pretend and keep the churches and parishes thereof respectively as exempted from the said Ordinary in all ecclesiastical jurisdiction.

And also the parish of Bradwas.



## *Appendix II.*

### WINCHESTER

There be within the archdeaconry of Winton these parishes exempt and peculiars, whereof the Bishop of Winton hath not full jurisdiction but only in the time of his visitation.

The peculiars within the deanery of Winton whereof the the incumbents have the ordinary jurisdiction. The Rectory of Morestede, the V. of Twyford, the R. of Compton, the V. of Hurseley, the R. of Chilcombe, the R. of Winhall, the R. of Lyttelton, the R. of St Faithes, the R. of Crawley.

The peculiars within the deanery of Andever. The R. of Borowclere, the R. of Highclere, the V. of Whitchurche, the V. of Husbond pryour.

The peculiars of the deanery of Basingstoke. The R. of Overton, the R. of Colwaltham, the R. of Baghurst, the R. of Hannynghton.

The peculiars of the deanery of Alresford. The R. of Alresford, the R. of Easton, the R. of Cheryton, the R. of Ovington.

The peculiars within the deanery of Droxford. The V. of Eastmeane, the R. of Westmeane, the V. of Hamyldon, the R. of Havant, the R. of Alverstoke, the V. of Faram, the R. of Meanestoke, the R. of Droxford, the R. of Exton, the R. of Bishops Waltham, the R. of Upham.

The peculiars of the Deanery of Southampton. The R. of St Maryes, the V. of Southstoneham, the R. of Fawley.

The peculiars within the deanery of Th'isle of Wight. The R. of Brykston, the R. of Benstede.

The peculiars within the deanery of Somborne. The R. of Chibolton, the R. of Houghton, the R. of Michelmerche, the R. of Wonsington.<sup>1</sup>

### ROCHESTER<sup>1</sup>

The deanery of Shorham and the parsonage of Cleve. M<sup>r</sup> D<sup>r</sup> Weston Dean of the Arches exerciseth the jurisdiction

<sup>1</sup>Also it must be added that the whole Deanery of Croydon was exempt and under the jurisdiction of the Archbishop of Canterbury. This is noted separately at a later part of the Return (f. 266).

<sup>1</sup>The following are from Lansd. MS. vi. No. 57, f. 141.

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of Shorham under my Lord of Canterbury. And the Bishop of Rochester as parson of Cleve hath the jurisdiction thereof.

### PETERBOROUGH

I have in my diocese five peculiar places otherwise named prebends, wherein I may use no ordinary jurisdiction, whereof two are in the County of Northampton, viz., the prebend of Nassyngton and the prebend of Gretton; and in Rutlandshire are three viz.: the prebend of Liddington, the prebend of Ketton, and the prebend of Empingham. And the said prebends or peculiars do belong to the cathedral church of Lincoln, to whom the ordinary jurisdiction thereof doth belong. The names of the incumbents I cannot presently certify, for they are strangers unto me, (and as I suppose) unto the said prebends or peculiars.

### NORWICH<sup>1</sup>

I am informed there are three towns in Suffolk lying within my said diocese merely subject and belonging to the peculiar jurisdiction of my Lord of Canterbury his Grace, and clearly exempt from my jurisdiction. Whereof the one is called Hadlye, the other Ileigh monachorum, and the third I know not, nor cannot learn at this present.

There are also certain other towns belonging to the Dean and chapter of my cathedral church of Norwich challenging exemption from my ordinary jurisdiction, saving the time of my ordinary visitation. Which jurisdiction remaineth in the said Dean and Chapter, and is partly exercised at this present in their names by M<sup>r</sup> Thomas Godwyne their Commissary.

And although the inhabitants of Wymondham will not be called out of their town by process, according to an ancient composition of my predecessors, yet they refuse not to be subject to my ordinary jurisdiction, so that my Commissary or other officer sit there amongst them.

The names of the said towns belonging to the Dean and Chapter of the said cathedral church, challenging jurisdiction as above is said, ben these viz.: St Pauls, St James, St

<sup>1</sup>This is also in Norwich Registers No. XX (Miscell. Book), f. 94.

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Mary in the Marishe, St Helen, in Norwich: Trowse, Amberinghale, Lakenham, Eton, Sedgeforth, Hyldolneston, Hemysbye, Martham and Catton.

HEREFORD<sup>1</sup>

The deanery and city of Hereford containing the number of 32 churches and chapels with cure are exempted from my jurisdiction, and are under the jurisdiction of the Dean and of the cathedral church of Hereford.

Also the cathedral church of Hereford and the prebendaries and ministers of the same church are exempted from my ordinary jurisdiction and under the jurisdiction of none that I know [except the Queen's Majesty].<sup>2</sup>

Also every canon and prebendary in his own house is his own Ordinary and Ordinary to all his family, so that neither I ne the Dean of the cathedral church have anything to do with them.

Also the vicar and parish of Little Harford with the chapel of Ashford Carbonell is under the peculiar jurisdiction of D<sup>r</sup> Baskerville as Chancellor of the church of Hereford.

Also the hospital of Ledberye is under the peculiar jurisdiction of the Dean and Canons of Hereford: and M<sup>r</sup> Edward Cowper canon residentiary of Hereford is Master thereof.

<sup>1</sup>Lansd. MS. vi., f. 196<sup>v</sup>.

<sup>2</sup>These words added in brackets by another hand.

### APPENDIX III.

*Isti articuli inquirendi sunt in domibus religiosorum.*<sup>1</sup>

1259

1. An omnes sint regulariter obedientes suis superioribus et unanimes.

2. An sint in eis schismata.

3. An servant rite silentium.

4. An loquantur in parliamentis nisi sancta et honesta.

5. An aliquis sint proprietarius.

6. An vagentur non licentiati et exeant claustrum sine rationabili causa.

7. An licencientur nisi ab abbate si presens fuerit vel, eo absente, a priore.

8. An aliquis aspiret ad ballivam habendam.

9. An officarii sint prudentes et fideles.

10. An comedant carnes, nisi in casibus a regula concessis.

11. An sint abstinentes et sobrii.

12. An comedant seorsum in cameris, et ad hoc licencientur.

13. An sani comedant in infirmaria.

14. An reliquie pure transeant in eleemosynam et ad manum eleemosynarii et inde pure ad manus pauperum, nullo victu stipendiali inde dato exceptis stipendialibus victibus servientum eleemosyne. Histrionibus potest dari cibus quia pauperes sunt, non quia histriones: et eorum ludi non videantur vel audiantur vel permittantur fieri coram abbate vel monachis.

15. An aliquis operetur sibi et non communitati.

16. An aliquis sit murmurans propter correccionem sui vel status domus vel observancie regule.

17. An computus reddatur secundum statuta Concilii et domini Pape.

18. An gravent suos subditos tallagiis vel aliis iniustis et gravibus exactionibus.

19. An certi et discreti et plures numero statuatur penitenciarum.

<sup>1</sup>From the Burton Annals, p. 484.

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20. An familia tam abbatis quam obedienciariorum sit habitu et gestu honesta, non superba, non ebriosa, non luxuriosa, vel alio enòrmi vitio maculata.

21. An aliquis efferat se superbe super confratres, vel eos contemnat, cum debeat quisque omnium se extremum reputare.

22. An seculares arceantur a claustro refectorio infirmaria et choro, exceptis personis eximiis, et temporibus festivis in processione.

23. An potent post completorium, nisi evidens et regularis causa coegerit.

24. An statuta Concilii Oxoniensis, quatenus tangunt religiosos, et generalium capitulorum, et visitacionem† episcoporum pluries legantur in anno in capitulo.

25. An aliquis sit simoniace admissus.

26. An curia sit circumquaque bene clausa.

27. An redditus et proventus domus et omnia bona et quecunque ad eandem pertinent redigantur in scripturam, ut seniores de conventu et visitatores cum venerint, statum domus evidenter possunt agnoscere.

28. An abbas, cum non extrahant eum negocia domus, sit frequens in claustro et ad excessus corrigendos regulariter in capitulo; et nisi propter hospites vel aliam regularem causam impediatur, comedat in refectorio.

29. An omnes exceptis infirmis surgant ad matutinas et eis intersint in choro usque ad consummacionem.

30. An amici[s] monachorum, cum veniant ad visitandum eos, benigne ministrentur cibus et potus de celario et coquina.

31. De sigillo qualiter custoditur et sub quot seris.

32. De receptoribus proventuum domus, et an solvant compotum, et quociens per annum.

33. De veteribus pannis si quis det suos ubi voluerit; et an cedant in usus pauperum.

34. De pannis lotis.

35. An infirmaria recte procuretur et regulariter.

36. An aliquis mittat brevia, vel recipiat munera.

37. An habeant coopertoria de burneto vel pelles silvaticas.

38. An cibentur et potentur uniformiter in refectorio.

### *Appendix III.*

39. An habeant seratas clausuras, exceptis obedienciariis.
40. An de redditibus assignatis ad infirmariam ad hospitalitatem et eleemosynam aliquid subtrahatur et in alios usus convertatur.
41. An aliquis obedienciaris vel alius faciat convivium aliis monachis in festo alicuius altaris vel alias.
42. An hospitalitas rite observetur.
43. An aliquis monachus loquatur solus cum mulieribus, nisi omnia audientibus duobus vel tribus testibus.
44. An habeant sotulares rotundos secundum regulam.
45. An habeant herbarium proprium aviculas catulos pullos aucas ova et huiusmodi.
46. An fiat aliqua alienacio vel collacio de camera, vel vendicio vel collacio corrediorum.
47. An alique mulieres sint habitantes infra septa domus.
48. De hospitalitate extra portam.
49. De exhibicione cognatorum.
50. An aliquis cum aliquo nimiam habeat familiaritatem.
51. An aliquis predicet in conventu.
52. An operentur circa garbas poma fenum presentibus secularibus.
53. An fecerint conspiracionem contra adventum episcopi.
54. An aliquid mutuum sit contractum: per quos et ob quas causas: et in quos usus sit conversum.
55. An ostia sint bene clausa de nocte.
56. An recipiant annualia vel tricennalia.
57. An aliquis professus sit fugitivus.

#### APPENDIX IV.

### Grindal's Visitation of S. Paul's.

1561-2

*Forma dicte visitacionis prefati R. P. domini Edmundi Grindalli London. Episcopi per eum inchoate et actualiter exercitate in ecclesia sua cathedrali divi Pauli London. anno domini predicto sub modo et forma subscriptis sequitur.*

Die Jovis, decimo septimo viz. die mensis Aprilis A.D. MDLXI hora quasi novena a.m. illius diei accesserunt personaliter venerabiles viri Magistri Alexander Nowell Decanus dicte ecclesie cath. divi Pauli London., Magr. Joh. Mollens Archd. London., Magr. David Kempe Archd. S. Albani, Magr. Joh. Watson Cancellarius . . . necnon et magistri Gabriell Goodman, Joh. Weale canonici et prebendarii dicte eccl. cath. unacum Will. Whytbrooke Subdecano . . . et minoribus canonicis, ac vicariis choralibus, choristis, aliisque ejusdem ecclesie ministris et officiariis, ad magnam cameram infra palatium episcopale London, superpellicibus induti; ubi R. Patri prædicto obviam dederunt, eumque salutarunt. Aliquibusque colloquiis hinc inde habitis inter eos, sequebantur eundem R. Patrem habitu suo solito episcopale, viz. a rochett and a chymmer indutum ad ecclesiam cath. prædictam; ubi per hostium occidentale simul ingressi sunt in ecclesiam prædictam, perque medium ejusdem ecclesie unacum caterva prædicta ad chorum dicte ecclesie cath. idem R. Pater cum dicto comitatu devenit; ubi in stallo decanali sedebat, reliquique suas sedes secundum ordinem acceperunt. Deinde cum suffragia sive letaniam ibidem ministri chori anglice decantassent in loco ejusdem chori ad idem præparato, contionem fecit idem R. Pater: qua finita in stallum decanalem† prædictum est reversus, ubi solempniter decantato per præfatos ministros chori psalmo viz. *O gyve lawde to our lorde god, for his mercye endureth for ever*, etc., inde resurgens domum capitularem

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dicte ecclesie adivit, decano residentiariis prebendariis et aliis ministris supradictis eum ordine precedentibus.

Et tunc coram eodem R. Patre in loco eminentiori ibidem sedente comparuit personaliter dominus Alex. Smyth clericus Sacrista dicte ecclesie ac mandatarius in hac parte deputatus, et realiter introduxit mandatum dicti R. Patris alias in hac parte emanatum unacum tenore certificatorii annexi super executione eiusdem, ac nominibus et cognominibus decani omniumque et singulorum dignitates et officia in dicta ecclesia obtinentium, necnon canonicorum prebendariorum et ceterorum ministrorum eiusdem, in scedula eidem certificatorio annexa specificatis, et in ea parte juxta antiquum morem usum et consuetudinem ipsius ecclesie citatorum. Cuius quidem mandati et certificatorii predicti tenores sequuntur et sunt tales.

[f. 4<sup>v</sup>. Citation of Bishop to Dean and Chapter for Ap 17.  
London, March 26, 1561.]

[Certificate of Sacrist to Bishop. Ap. 16.]

[Schedule of persons with marginal notes of presence or absence with excuse.]

8 Dignities.

27 Major Canons (including five of the eight dignities)  
besides 3 vacant.

13 Minor Canons (number uncertain because list subsequently altered).

6 Vicars Choral.

10 Choristers.

4 Vergers.

2 Bellringers.

signed, "Dominus Alexander Smyth Cantator epistole,  
sacrista."

f. 8. Quo quidem certificatorio sic introducto et per me Petrum Johnson Registrarium dicti R. P. de suis mandato publice perlecto, factaque prima preconizatione omnium et singulorum citatorum et monitorum prædictorum, statim idem Decanus debitam obedientiam necnon et legitimam dicto R. D. Edmundo London. episcopo tanquam pastori episcopo et ordinario suo et dicte ecclesie verbo promisit iuxta antiquum morem usum et consuetudinem



#### *Appendix IV.*

eiusdem; quam quidem obedientiam et alii omnes et singuli tum præsentes, et absentium nominibus eorum procuratores, similiter promiserunt.

Deinde causis visitacionis pred. per eundem R.P. Anglice propositis et declaratis, lectaque scedula contra citatos et monitos ac non comparentes, idem R.P. pronunciavit eosdem contumaces, et reservavit penas contumaciarum suarum huiusmodi donec et quousque sibi visum fuerit, prout in dicta scedula continetur. Ac prorogavit et continuavit huiusmodi suam visitacionem sic ut prefertur inchoatam usque ad et in horam terciam pomeridianam eiusdem diei in locum capitularem prædictum.

Et sic inde recessit ad ædes dicti Decani unacum eodem Decano, etc. . . . ubi facto eidem R. Patri suisque familiaribus prandio impensis eiusdem Decani et aliorum Residentiariorum dicte ecclesie, ipse R.P. predicta caterva concomitante, circiter horam tertiam p.m. eiusdem diei ad dictum locum capitularem adivit.

Ubi iudicialiter sedebat. Tunc introducta et exhibita copia quorundam statutorum ecclesie cathedralis per eundem Decanum et residentarios coram eodem R.P. ibidem sedente, ibidemque habitis nonnullis tractatibus tam super observatione quam super aliis causis et materiis statum et regimen eiusdem ecclesie concernentibus, Idem R.P. ad petitionem dicti Decani et capituli aliorumque ibidem presentium assignavit eisdem ut exhibeant Injunctiones originales et ordinationes tam in Regia Visitacione ultima per visitatores executioni demandand. traditas quam statutorum integrorum et ordinationum aliarum eiusdem ecclesie in archivis et monumentis eiusdem remanentium, die Jovis viz. xxix<sup>to</sup> die mensis maii proxime jam futuro in hoc loco hora capitulari, dicto Decano et capitulo presentibus et Thesaurario tunc absente per procuratorem suum monitis ad exhibendum eisdem die hora et loco predictis verum et perfectum Inventarium omnium et singulorum bonorum localium et [word struck through] ad ecclesiam divi Pauli pred. vel in ipso primo anno regine Marie Anglie regine etc. usque in hanc diem et horam pertinentium et remanentium sub pena juris.

#### *Appendix IV.*

Postremo idem R.P. monuit judicialiter omnes et singulos per procuratores competentes xxix<sup>mo</sup> die predicto, hora et loco prefatis ibidem personaliter adessent, et quilibet adesset, sub pena juris, visuri et audituri prout justum fuerit ac prout natura et qualitas dicte visitacionis de se exigerit et postulaverit.

Et sic hanc suam visitacionem (prius monitis universis et singulis in dicta ecclesia . . . ad exhibendum coram dicto R.P. aut etc. . . . tam litteras ordinum suorum quam titulos dignitatum beneficiorum et facultates et plurales suas si quas habent die predicto vel citra viz. xxix<sup>mo</sup> die dicti mensis Maii sub pena prefata) continuavit, et prorogavit huiusmodi visitacionem suam cum ulteriori prorogacione et continuacione prout sibi videbitur usque ad et in horam octavam a.m. crastini diei et locum capitularem huiusmodi: in quam etiam horam et locum idem R.P. monuit dictum Decanum reliquosque dicte ecclesie prebendarios et ministros, comparentes tam per se quam per procuratores, ut si quid correctione et reformatione digna<sup>†</sup> reperirent, in hoc loco coram eodem R.P. sigillatim et secrete presentarent proponerent et exhiberent, sive quilibet presentaret proponeret et exhiberet, me Petro Johnson Registrario presente.<sup>1</sup>

<sup>1</sup>There is an inventory written on an inserted slip of the book at this point which runs as follows:

*Anno 1558 8<sup>o</sup> V<sup>to</sup> Octobris.*

*Ornaments in the vestry*

*In primis, on crosse*  
*Item, a comunyon cuppe.*  
*Item, iiij chalyses.*  
*Item, ij candelstyks.*  
*Item, ij payre of sencers.*  
*Item, on shyppe.*  
*Item, ij bassens*  
*Item, a ymage of Saynt*  
*Paule.*

all these be  
of silver

*Item, a myture with the staffe.*  
*Item, xxx<sup>tie</sup> copes.*  
*Item, iij sutts of vestyments.*

*Item, xi bodekyns.*  
*Item, on quyshene of tyssue.*  
*Item, viij other quyshens.*  
*Item, a fount of latene.*  
*Item, iij altarclothes.*  
*Item, ij towells.*  
*Item, a palle of velvett.*  
*Item, on canapye.*  
*Item, ij clothes for y<sup>e</sup> hye altar.*  
*Item, on cloth for y<sup>e</sup> byshopps*  
*see.*

For an account of the rest of the proceedings see above p. 150.

APPENDIX V.  
Christ Church, Canterbury.

1564-5.

*The certificate of the Vicedean of the cathedral and metropolitical church of Christ in Canterbury, and the Prebendaries of the same church here present.*

After due consultation had upon the copy of a letter directed from the most reverend Father in God, Matthew, Lord Archbishop of Canterbury unto you his Grace's Commissary, containing the Queen's Highness pleasure and commandment for special regard to be had to the clergy within his province, for their conformity in doctrine, and uniformity in rites and ceremonies of the Church, and for their private manners, usages, and behaviours, according to the tenor of the said letters; we do make our certificate for the state of our church touching the premisses in manner and form following.

1. *First*, we do certify, that there is no doctrine taught or defended by us, or any of us, nor by any preacher of our church to our knowledge, other than that which is approved by the Word of God, and set forth within this realm by public authority.

2. The Common Prayer daily through the year, though there be no Communion, is sung at the communion table, standing north and south, where the high altar did stand. The Minister, when there is no Communion, useth a surplice only, standing on the east side of the table with his face towards the people.

The Holy Communion is ministered ordinarily the first Sunday of every month through the year. At what time the table is set east and west. The Priest which ministereth, the Pystoler and Gospeler, at that time wear copes. And none are suffered then to tarry within that chancel but the communicants.

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For the ministering of the Communion we use bread appointed by the Queen's Highness Injunctions.

The evening prayer in winter is between three and four; in summer between four and five of the clock in the afternoon. At which prayers Mr Dean, when he is here, and every of the Prebendaries, are present every day once at the least, apparelled, in the choir: and when they preach, with surplice and silk hoods.

The Preachers, being at home, come to the Common Prayer on Sundays and Holy days, wearing surplices and hoods.

The Petty Canons, The Lay Clerks, and Choristers, wear surplices in the choir daily.

The Schoolmaster for grammar, the Usher, and the Queen's Highness scholars, come to the choir on Sundays and Holy days in surplices.

3. *Thirdly*, we certify, that touching the manners, usages, and behaviours for ourselves, for the Preachers, and other inferior ministers within our church, we know none that liveth unorderly, or to use himself otherwise than is by order prescribed and permitted by the Queen's Highness Injunctions.

Thomas Willowghbye.

Thomas Beacon.

Willelmus Darrell.

Theodor Newton.

Johannes Buttler.

Henry Goodricke.

Andrew Peerson.<sup>1</sup>

<sup>1</sup>Printed in Strype, *Parker*, 1, 183, from MS. cxxii of Corpus Christi College, Cambridge, p. 323. The date is probably February, 1564-5. See *Parker Corr.* No. clxx.

## APPENDIX VI<sup>1</sup>

### *Churche Maters Anno 1567. 10 Januarye*

1. *Item*, that no man presume to preache which are not lycensed eyther

By the Quene hir honorable Lords of the Coounsell	1
By the Archebyshope of Cantorburye }	2
By the Byshope of London }	
By the Queenes Commysioners }	3
By the Unyversities seale }	

And that all preachers lycensed from Anno 1564 shall bryng yn their lycenses before the ffyrst of marche next, and not to fayle as at there perrylls in hir Majestyes name. Geven this 10 of January 1567.

Commissioners Matth. Parker Archbp of canter  
Edmond Grindal Bishop of London  
Doctor Hewes  
John Molyns  
Thomas Huewyck

And this charge to Bee geeven in a revesture

That all your parryshioners may understand the Quenes Maty pleasures ys that sober and stayd preachers may be apoynted unto this holy calling

Nota. And all.oothers Inhibytd.

God save the quene 1567

<sup>1</sup>From Earl's Diary (Univ. Libr. Camb. MS. Mm. i, 29), f. 40<sup>v</sup>

## APPENDIX VII

### *The Elizabethan Revision of Cathedral Statutes.*

THE Elizabethan draft of revised Statutes for the Cathedrals is to be found in Lambeth MS. 276. The volume opens with an index to the chapters of the code, then follows an abstract of the Act of Parliament giving the Queen power to make fresh statutes, signed by the Queen.

Then a Royal Letter from the Queen to the Commissioners Ecclesiastical as follows:

“Moste Reverende Father in God Righte trustie and Righte well beloved we grete you well. We be informed that the ordinances and statutes of sundrie oure Cathedrall Churches as well in the Province of Canterbury as Yorke remayne in diverse points unreformed from the state whereunto they were altered in the tyme of our late dere sister Quene Mary, at which tyme the Crowne and regiment of this Realme was subdued to the Forreyne auctoritie of Rome, so as at this tyme the said statutes conteyne moche matter against the dignity of our Crowne, and the Lawes of our Realme, to the evill example also that may be therof gathered.

“Wherefore we will that you our Commissioners or sixe of you shall have regard therunto and cause the Statutes of such our Cathedrall or Collegiat Churches to be perused and to cause the same to be reformed in all such points and clauses as be or maie be interpreted against the Lawes of our Realme, usinge therin for the Province of York the assent of the Archbushop, or the bushop of the dioces where the said Cathedrall Church is.

“Yeven under our Signet at our Pallace of Westminster the fourth daie of June the fourth yere of oure Reigne.

“To the most Reverende Father in god oure Righte trustie and righte wellbeloved the Archbushop of Canterbury and to the Reverende Father in god the Busshop of London, and the rest of the Commissioners for Ecclesiasticall causes.”

### *Appendix VII.*

Overleaf there is given a clause from the Commission dealing with the subject. This is signed by the Archbishop of Canterbury, the Bishops of Winchester and Ely, Alexander Nowell, T. Wottes and T. Yale: and an inserted slip gives further names—Eps. Lincoln, W. Deye, D. Harvey, D. Watson, Mr Peerson, Mr Aldriche, with the note, "Some of them at the whole, some counsaylled with in the greatest Doubtes."

Then comes the following a summary of the principal innovations of the New Statutes as compared with the Old.

#### *Generall imperfections in the Statutes of King Henry*

1. *First*, diverse of the Statutes are repugnant to the Lawes of the realme now in force as in common praier &c.
2. *Item*, the paynes of many statutes in light offences being periurie be now charged with pecuniary paynes.
3. *Item*, no provision made for the busshope to be receyved at his visitation and otherwise, no order appoynted for the admission of the Deane prebendaries and other mynisters.

#### *Reformations of the defects and enormities of the olde Statutes*

N.S. O.S.

2. 1. The stipende of the pistler and Gospeler converted to the mayntenance of a dyvinitie lectur, where before no provision was for the same.
3. 2. The order of the admission and installation of the Deane newe provided for.
4. 3. The othe of the Deane better provided as to renounce all Forreyne iurisdiction and all doctrine contrarie to the religion received.
5. 7. A payne for suche as shall at the Deane's admission refuse to exhibite before the Deane suche goodes and Jewells as belonge to the Church.
6. 4. That the deane shall more diligentlie se to the officers and ministers of the Church, and that the sermons be had according to the Statutes.
7. 8. A provision that Deanes and Prebendaries beinge readers of Dyvinitie in Cambridge or Oxforde maie during their reading be accompted for resident.

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9. *De prebendariorum installatione ingressu et sacramento.*  
This chapter newly made and provided.
10. *De interpretatione nominis capituli.*  
This chapter inserted of new.
11. 12. A provision that every Cathedrall Church shall  
alwayes throughout the yere be furnished with the  
fourthe parte of the Canons, and the non-residente  
to have no Comoditie but *Corpus Prebendæ* accord-  
ing to the rate of their absence.
12. 15. That the Canons resident be present at the Dyvine  
Service and holy Communion or ells to be accompt-  
ed for that tyme as non-resident, and a *cogitetur* for  
mayntenance of hospitalitie.
13. 13. That the Deane shall preache iiij sermons besides iij  
sermons for festivall dayes, and the prebendaries to  
furnish the rest of the sondaie sermons and the  
other holidayes throughout the yere.
14. *De concionatoribus.*  
This chapter serveth only for the Church of Can-  
terbery, for that the other churches have no foun-  
dation for preachers.
15. 20. That the pety canons and clerks shalbe elected  
and chosen by the Deane and Chapter or the vice-  
deane and Chapter, and they to sweare agaynst all  
forreyne auctoritie.
17. 16. The election of officers to be the xth of December  
yerelie thought to be more convenient for that the  
daie before appoynted was in terme tyme.  
*Item*, the chosinge of officers if the Deane and pre-  
bendaries cannot agree after iij daies to be in the  
busshopes auctoritie for avoiding of Contention.
18. 17. A proviso that the vicedeane and prebendaries  
shall let no leases place officers &c under their  
Comon Seale *Decanatu vacante*.
19. 18. A restraint that the receyver shall not burden the  
Church otherwise than with his stipende appoynted  
and with other Charges for kepinge of Courts.
20. That the Treasurer shall not bestowe in the repara-



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tions of the Churche &c above xls without consent of the Deane and Chapter.

*ib.* 19. *Item*, that the deane and prebendaries shall not sell or let to lease any parte of the Deane's prebendaries' or pety canons' houses &c.

*ib.* *Item*, that the Deane or prebendaries dying or otherwise amoved shall leave in their houses to their successors formes and benches, &c.

21. *De prelectore Theologico.*

This Chapter newly provided.

23. 24. The service heretofore done by the vesterer and vergers at the alter &c, tending to superstition, reformed according to the present state, with the office of sextons newlie inserted.

24. 23. That the Mr of the Queristers in his absence shall appoynte a sufficient deputie to be allowed by the Deane and Chapter that the Church be not destitute.

25. That out of the Grammer scholes their maie be exhibition at Cambridge and Oxforde for certain scholars according to the number of the foundation; as where there be 50, x to be founde at the universities: and the election of them provided for also.

26. 26. That the Beadmen may have xl daies absence from the Churche in the yeare, having but xx before, and that they shall in their admission take the like othe as other officers of the Church, to praie also for the Quene's Maiestie and tranquillitie of the realme, and one of them yerelie to be made overseer of the rest at the appoyntment of the Deane.

27. 5. That the Deane and receyver in their yerelie vewe shall betwene Ester and Michelmas kepe their Courts, and not the stewarde alone.

28. 6. The whole Chapter better provided for the mayntenance of the possessions and state of the Churche for preservation of woddess and graunting out of advowsons.

29. 36. The ij. generall chapter daies appoynted at a more convenient tyme of the yere, and a payne of iiijli

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- for the Deane or prebendaries that shall not be then present.
30. 27. That the stipendes of the Butlers and Cooks &c be converted to necessarie uses of the Church (if there shall not be used a Common Table).
31. 28. That the Deane by his discretion shall give Licence to those that be married or have other lawfull business to eate oute of the Common table, and the ordering of the same to be at his disposition as shall agree withe the tyme and persons.
32. 28-30. The iij Chapters of the Commons lyveries and stipendes brought into one some of money for the equall payment of the same somes to suche as lyve abroad.
33. 31. The whole chapter reformed accordinge to the present state of religion and the same more amply provided as well for the Deane and prebendaries as the rest of the whole Church in executing the Dyvine service withe subscription to the boke of articles of religion latelie aucthorised.
34. 32. That the fermers of the Church shall exhibite a trewe Copie of suche leases as were granted before the erection of the said Church, to be registred &c, & that the Common seale shall not be put to any blanks or Cleane paper. And a payne for the keye keepers which shall obstinatlie kepe awaie their key contrarie to the consent of the Deane and Chapter.
35. 33. That the Auditor shall yerelie make ij paper books, the one of the accompts of the receyver, the other of the Treasurer, and to ingrosse the same in parchment, with provision made for the Collection of arrearages upon the determination of every accompte.
36. 34. The whole Chapter reduced to a better fourme for the punishment of offenders, as for lyght faultes with a pecuniarye payne, for greater withe expulsion.
38. 37. That the Statutes may be read over in the presence

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of all the officers of the Church every thirde yere, and every yere those statutes to be red that concern the Deane and prebendaries. And also the Visitor's iniunctions to be red.

*De precibus.* The same reformed to the state of religion now received.

Thereafter comes a quotation from Henry's Foundation Charter, which had been much in question because it seemed to give the Dean the appointment to all the minor posts, while the Statutes only mentioned some; and this is followed by a statement of the point at issue (see *Nicolson's Letters*, II, 342, 343).

The Statutes then follow and occupy the rest of the book. They have a new preface and a new section prefixed as to the place of the Bishop, which is given here as it bears upon the method of visitation.

For the rest the brief statement of the innovations given above must suffice.

The draft is much corrected, interlined and altered. It is evidently the original from which no doubt a fair copy was made in hope of the Queen's attention, which she never gave.

“ I. *De dignitate episcopi.*

Cum inter omnes gradus et ordines ecclesiasticos episcopus emineat et dignitate ceteris antecellat, decanum prebendarios seu canonicis aliosque ecclesie ministros non in choro solum sed in aliis locis quibuscunque debitum illi honorem et reverentiam exhibere valde congruum et consentaneum esse duximus. *Statuimus* igitur et ordinamus ut episcopus cum primo ecclesiam suam adierit et quotienscunque visitandi causa personaliter accesserit in hunc modum recipiatur.

Decanus prebendarii seu canonici et chorus universus more solito superpelliceis et caputiis gradibus suis convenientibus induti, in ordinem sese componentes, episcopo templum ingressuro obviam reverenter precedent et ad summum usque chori gradum, mensam Domini vel sedem

*Appendix VII.*

suam cathedralem prout episcopo tum presenti commodum videbitur, pio cum effectū deducant, Choro autem interim psalmum lxvij<sup>m</sup> vel nonagesimum primum canente. Sequentur deinde preces in hanc fere sententiam per Decanum eoque absente Vicedecanum aut seniore prebendarium seu canonicum.

Salvum fac Domine N. Episcopum nostrum.

Servum tuum in te sperantem.

Mitte ei auxilium de sanctuario tuo.

Et de Sion tuere eum.

Domine exaudi orationem nostram.

Et clamor noster ad te veniat.

Oremus.

Concede quesumus Domine famulo tuo N. episcopo nostro ut tum verbum predicando, tum etiam bonorum operum exemplo, populum eius fidei commissum ad omnem pietatem instituat et erudiat, æternæque fælicitatis gaudium a te, Domine Jesu Christe, summo pastore expectet.

Other directions for the advent of the Bishop on other occasions follow, erased.



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321 (*bis*) peticanons singing men vergers sextons almsmen (and officers)

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<sup>1</sup> But the original spelling has not always been kept.

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